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# — DRUG COURT — PROCESS EVALUATION — REPORT

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**KRISTIN WHITE, MA  
PROGRAM EVALUATOR**

**REBECCA CLAYTON, BS  
ASSOCIATE DIRECTOR**

**STEPHAN ARNDT, PHD  
DIRECTOR**

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**PREPARED BY:**

IOWA CONSORTIUM FOR SUBSTANCE ABUSE RESEARCH AND EVALUATION  
UNIVERSITY OF IOWA, IOWA CITY, IOWA 52242-5000

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# Drug Court Process Evaluation

## Introduction

The Iowa Consortium for Substance Abuse Research and Evaluation conducted a process evaluation in 2007 on the seven adult and juvenile drug courts existing in Iowa in 2003. (A list of adult and juvenile drug courts established in Iowa from 2004 through 2007 appears in the appendix.) The drug courts evaluated in this study differ on several important factors, including the judicial supervision model used, resources available, and the severity level of clients served. The divergent resources and clients should be considered when comparing outcomes across courts. Section 1 provides an overview of each drug court included in this study.

Two sets of criteria inform this process evaluation. The first is a landmark study of drug courts conducted by researcher Dr. Sally Satel (1998). Dr. Satel identified seventeen interactional and environmental variables that characterize drug courts, with an emphasis on the judge-client relationship. Section II of this report outlines Satel's criteria and provides a comparison of each drug court using those variables. The second body of work is the 10 Key Components of Drug Courts defined by the National Association of Drug Court Professionals (NADCP) and the U.S. Department of Justice (1997). Section III outlines the 10 Key Components and how each drug court meets these benchmarks.

### *Instruments and Methodology*

The Iowa Consortium for Substance Abuse Research and Evaluation (Consortium) contacted Dr. Satel regarding data collection instruments and operational definitions of the variables identified in her study. After communications with Dr. Satel, the Consortium staff developed operational definitions of the Satel criteria and measurement and created an instrument for recording courtroom observations. Some variables were expanded to collect more detailed data on certain aspects of drug court processes. Staff from the Iowa Department of Human Rights, Division of Criminal and Juvenile Justice Planning developed lists of interview questions to guide the process evaluation. The Consortium used these questions to create team member, administrator and judge interview questionnaires. Copies of the Satel variable definitions and scales, observation instrument and interview questionnaires appear in the appendix.

Evaluation methodology included observations of drug court proceedings (also called status reviews or status hearings); observations of client staffings, which are meetings held prior to status review hearings where drug court team members discuss client progress, determine issues to address with clients and sanctions or rewards to be administered; and interviews with drug court team members, including drug court officers and supervisors, county attorneys, public defenders, treatment agency liaisons, community panel volunteers and judges.

## *Terminology*

Explanations of drug court, substance abuse, and treatment related terms used in this report are provided here:

- “Client” refers to offenders who are enrolled in drug court programs.
- “UA” or urinalysis is a common method of drug testing, in which clients provide a urine sample for testing.
- “Drop” refers to the process by which staff monitors and collects the urine specimen from the client.
- “Using” or “use” refers to the intake of alcohol or drugs.
- “Clean” usually refers to being free of illicit drug use and “sober” to being free of alcohol use; however these two terms may be used interchangeably.
- “TASC Officer” is a drug court team member employed by the corrections department or a substance abuse treatment agency who coordinates substance abuse treatment services for offenders. TASC is an acronym that originally referred to Treatment Alternatives to Street Crimes, but now refers to Treatment Accountability for Safer Communities.
- “Drug Court Officer” (or DCO) is the title used in some drug courts for the probation/parole officers who supervise drug court clients. While not all drug courts in this study use this title, the authors uses this term to refer to all probation/parole officers working in drug courts to distinguish them from criminal court officers.
- “Status review hearing” is the regularly occurring drug court hearing in which clients appear in front of the panel or judge to discuss their progress. The hearings may also be referred to in this report as “court sessions,” or “panel sessions” for community panel model courts.
- “Staffing” is a meeting of drug court team members that occurs before each status review hearing, where staff discusses client progress, identifies issues and questions to discuss with clients during the hearing, and determines sanctions and rewards to administer.
- “Revocation,” or being revoked, means that a client on probation or parole is stripped of that status and is sent to jail or prison.
- “AA” refers to Alcoholics Anonymous, a world-wide recovery support group for alcoholics and addicts.
- “NA” refers to Narcotics Anonymous, a recovery support group for drug addicts.
- “Al-Anon” is a recovery support group for family members and friends of alcoholics and addicts. “12 Step Group” may refer to any of the recovery groups mentioned here or to specific meetings of those groups where the twelve steps of recovery are the exclusive focus.

## **I. Overview of Drug Courts Included in this Study**

Iowa's drug courts follow one of two models of judicial supervision: the community panel model or the judge model. The panel model drug courts included in this study are the Cerro Gordo County Community Drug Court, serving adults and the Marshall County Community and Woodbury County Drug Courts, serving adults and juveniles. The judge model drug courts included in this study are the Polk County Intensive Supervision Adult (ISP) Drug Court, Polk County Juvenile Drug Court, as well as the 4<sup>th</sup> Judicial District (located in Pottawattamie County) and Scott County Intensive Supervision Program (ISP) Drug Courts, both serving adults. It is important to note that differences identified in this process evaluation highlight an element of non-comparability between the drug courts that should be taken into consideration when attempting to compare outcomes across courts.

### *Community Panel Model Courts*

Community panel model courts use trained community volunteers rather than judges to conduct regular status review hearings. Some panel courts conduct status review hearings in a courtroom; others conduct reviews in conference rooms at a residential correctional facility. Panels are endowed with authority to administer numerous sanctions and rewards. A district court judge is appointed to the drug court program, but in most cases clients appear before the judge only when referred by the panel. Clients must go before the judge when the panel recommends the client serve extended jail time or that the client's probation or parole status be revoked and he/she be sent to prison. Panels in most cases can request that a client be sent to jail for one to three days without seeing the judge. The drug court officer contacts the judge by phone to obtain his/her agreement and the judge issues the order. Appearance before the judge can itself serve as a sanction and is occasionally used as a last step before jail time.

The number and type of drug court team members present at the hearings varies by drug court. However, attorneys (private, prosecuting, or defense) generally do not participate in staffings or status review hearings in panel model courts, and there is no court reporter present. The involvement of attorneys in panel model courts is further discussed in Section III, Key Component 2.

Panel model courts utilize four to eight panels, each typically consisting of four to six volunteers. Panels serve on a rotational basis, with each individual panel typically serving once per month. Each client is assigned to one panel that becomes his/her "home" panel. In some drug courts, clients see only their home panel for status reviews unless the home panel orders them to see additional panels. In others, clients see all panels on a rotating basis, with the home panel having final decision-making authority regarding significant sanctions such as brief jail stays or a demotion in program phase, and rewards such as advancing to the next phase or graduating from the program.

Panel volunteers are members of the larger community and represent various community sectors. The following is a partial list of professions and roles of panelists serving Iowa's drug courts, and demonstrates the diversity of volunteers interested in helping clients succeed: teacher, principal, small business owner, doctor, nurse, barber, retired airline operations manager, human service worker, computer technician, newspaper reporter, farmer, tattoo artist, motorcycle mechanic, auto dealer, and homemaker. Several panelists also identify themselves as recovering addicts and alcoholics.

Volunteers are recruited by drug court staff and/or oversight committee members through various methods. A drug court staff member screens potential volunteers. In most cases the drug court administrator or lead drug court officer assumes this duty. Initial panel training protocols vary across courts, but all panel courts provide periodic training updates for panel volunteers. Drug court and treatment agency staff members and judges typically conduct the panel training sessions and may invite representatives from other agencies and organizations to give presentations, such as Court Appointed Special Advocates or members of Alcoholics Anonymous or Al-Anon.

### *Judge Model Courts*

Judge model courts use a traditional authority structure similar to that of criminal courts. A judge presides over status reviews hearings, with clients appearing before the judge on a regular basis in a courtroom. Public defenders and prosecuting attorneys participate in judge-model status review hearings. In rare cases, a client has a private attorney who is present for status review hearings if the client may be sentenced to jail or if his/her probation or parole status may be revoked. The public defender's and prosecutor's roles in drug court differ somewhat from their roles in criminal court, however. Their "focus is on the participant's recovery and law-abiding behavior – not on the merits of the pending case." (Department of Justice, 1997, p.3)

Most other members of the drug court team, including drug court officers and TASC Officers or treatment liaisons also participate in the hearings. While the judge is the central authority figure, drug court team members in the courts reviewed here have significant input into the issues to be addressed with clients in court and the sanctions and rewards to be administered. Judges typically ask for input from the attorneys and other drug court team members during the status review hearings, and team members often direct their comments to the clients themselves.

Judges serve limited terms in all but one of the judge model courts reviewed for this study. Judges in the Polk County Adult and Scott County Intensive Supervision Program Drug Courts serve the court on 2-year rotations. Sixteen district court judges fill the rotation schedule for the Polk County court. Judge

Bobbi Alpers, who currently presides over the Scott County court, is the chief judge of the district and will appoint a judge to replace her when her two-year term is completed. In the 4<sup>th</sup> Judicial District court, six district court judges serve the drug court on a monthly rotation.

### *Advantages and Disadvantages of the Models*

#### Panel Model

A commonly noted advantage of panel model drug courts over judge model courts is the reduction of burden on the judicial system and the resulting reduction in costs. Panel model courts generally require much less judge time than do traditional model drug courts, and therefore fewer taxpayer dollars. In the courts evaluated in this study, judges in panel model courts average less than one hour per week on drug court work, whereas judges in most of the traditional model drug courts work five to sixteen hours per week on drug court cases.

Panel model drug courts also may provide some advantages for clients and the community. First, community panels may provide clients with a sense that the community has a watchful eye on them. Clients understand that they are directly accountable to community members, not just to the judicial system. The presence of volunteers from the community also may provide clients with a sense that members of the community care about them and take a personal interest in their well-being. Drug court staff members at all three panel model courts reported that clients tell staff they don't want to disappoint the panel and that they feel bad when they let the panel down. Clients believe these community volunteers devote their time and energy to helping clients succeed because they care, not because "it's their job." This sense of accountability to and support from the community also may continue long after the client has left the drug court program.

Having multiple panel members provides a variety of perspectives and may yield more unique and creative approaches to help clients succeed. If one or two panel members are unable to communicate their message to a client in a way he or she will understand or accept, another panel member often is able to do so. Individuals from different backgrounds and walks of life telling clients the same thing also may have a greater impact than a single person giving that feedback. Panelists also occasionally have outside information about clients that the drug court staff does not have through contacts at school or with the recovery community.

Direct involvement in drug courts also gives community members insight into the problems substance abusing offenders deal with and the obstacles they face in achieving sobriety and becoming productive members of the community.

Staff members state that the main disadvantage of panel model courts is the absence of a firm authority figure. However, panels can require clients to go before a judge when needed. Staff members also report that clients missing panel review sessions is an extremely rare occurrence, suggesting that clients do take the authority of the panels seriously. Another disadvantage is that recruitment, training, and coordinating of volunteer panels is a time-consuming process for which coordinators feel they do not have optimal time. Drug court team members reported other disadvantages, but those appeared to be unique to their particular courts or easily remedied by training or procedure changes rather than being inherent in the model itself. These include panels not clearly understanding the seriousness of offenders with criminal mindsets, panels not gathering information from clients that is pertinent for drug court officers to know, inconsistencies between panels in administering sanctions and rewards, and insufficient communication between panels about specific clients.

### Judge Model

A primary advantage of the judge model is the presence of the traditional authority figure. Clients have frequent contact with the judge and must inform him or her of their progress and slips at each status review hearing. Team members who closely monitor the clients' activities can confirm or dispute clients' stories, which may serve to increase the clients' honesty with the judge. Staff members of judge model courts believe that the ongoing presence of a judge who cares about clients' well being, is knowledgeable about addiction and recovery, and who knows when clients need a "firm hand of authority" is the most influential factor in effecting positive client outcomes.

Another advantage of the judge model is the immediacy of higher level sanctions. Judges immediately and directly administer sanctions such as demotion to a lower phase of the program or a jail sentence. Clients do not need to wait for confirmation from their home panel, receive indirect orders from a judge via the drug court officer, or wait until the judge can see them in court. In addition, drug court staff indicates that most clients have never experienced or expected praise and compliments from a judge, and that this is also a powerful positive influence on clients.

In light of the information provided about panel model advantages, it appears that the main disadvantage of the judge model may be the lack of community presence in the drug court. While a key objective of the judicial system is to protect the best interests of the community, judge model courts may not provide the concrete, direct sense of accountability to the community that panel courts provide. They also may not provide the sense of caring and support from the community. Most other disadvantages of judge model courts mentioned by staff appear to be situational. Judges who are not familiar with addiction and recovery, who are not supportive of the drug court philosophy or the team approach, or who do not demonstrate concern for clients' well-being may reduce the effectiveness of the drug court team and decrease client motivation.

The judge rotation schedule also may affect outcomes. In courts where judges rotate frequently, judges may not have sufficient time to get to know the clients well and develop rapport with them. Even with longer rotation cycles, judges have different personalities and different approaches, which may create inconsistencies or be confusing to clients. A staff person at one court reported that judges coming into drug court from the criminal court that hears drug cases often seem less tolerant, less therapy-oriented, and tougher on clients than those coming from other court rotations. However, judges entering the probation revocation court rotation after serving the drug court seem to refer more offenders to drug court in order to avoid revocation.

As can be seen from the above discussion, each model has some unique advantages and disadvantages. It should be noted, however, that this evaluator observed panel model courts that provided a firm authoritarian atmosphere, and judge model courts where the atmosphere and interactions were clearly caring and therapeutic. It appears that the guiding philosophy and personalities of the panelists, judges and team members may be more salient variables than the model itself in characterizing the courts and affecting client outcomes.

#### *Individual Drug Court Overviews*

Table 1 provides a simple overview of the drug courts evaluated in this study. Information in this table regarding the frequency of meetings with drug court officers and status review hearings is reported as a range from highest frequency (for clients in early phases of the program) to lowest frequency (for clients in the last phase of the program). The narrative following the table provides important additional details about most factors listed in the table such as types of offenders served, other substances commonly used, and other staff members who have regular contact with clients. Copies of documents outlining program rules and regulations for each drug court may be found in the appendix.

**Table 1. Overview of Iowa Drug Courts in Existence in 2003 (continued on next page)**

	Drug Court								
	Panel Model					Judge Model			
	Cerro Gordo	Marshall		Woodbury		Polk		4 <sup>th</sup> Judicial District	Scott
		Adult	Juvenile	Adult	Juvenile	Adult	Juvenile		
Catchment Area (No. of Counties/Total Population)	1 46,447	1 39,311		1 103,877		1 374,601		9 189,361	1 158,668
Total Caseload (average)	20	10	10	75	35	68	30	50	28
Target Population	Convicted high-risk offenders; those with felonies take priority over misdemeanors	Repeat offenders headed for prison and parolees	Juveniles with any legal charge and substance abuse issues who need increased supervision	Convicted offenders with misdemeanors = 2 yr to felonies = 5 - 10 yr sentences	Primarily convicted juvenile offenders needing substance abuse treatment	Felony offenders, pre-plea to post-conviction, with primary drug problems	Juveniles with any legal charge and substance abuse issues	Convicted offenders, mostly felonies, with primary drug problems	Repeat convicted offenders headed for prison and parolees
Number of Drug Court Officers	1	.5	1	2	3.5	2	1 + 3 case managers	2	2
Frequency of Meetings with Drug Court Officer	At least weekly decreasing to every 2 weeks	Weekly for 6 months, then every 2 weeks at minimum	Three times per week decreasing to once per week	At least bi-weekly to monthly	Twice per week decreasing to once per week.	Three times per week decreasing to twice per month	Two to four times per month; case mgrs - daily contact	Weekly decreasing to every two weeks	Two to three times per week
Frequency of Drug Testing (Max. Average)	2x/wk	7x/mo	3x/wk	2x/wk	2x/wk	2x/wk	3x/wk	3x/wk	2x/wk
Frequency of Status Reviews	Every 4 weeks	Weekly	Panel - weekly Judge - every 2 weeks	Monthly; more if needed	Monthly; more if needed	Weekly to every 5 weeks	Weekly to every 3 to 4 weeks	Weekly to every 4 weeks	Weekly to every 4 weeks
Program Length (minimum requirement/average time to completion* in months)	7 / 16	12 / 22	12 / 18	12 / 16	12 / 14	16 / 20	6 / 9	12 / 21	18 / 24

\*Note: the average length of time to completion is an estimate based on staff reports, not a statistical calculation based on actual data.

**Table 1. Overview of Iowa Drug Courts in Existence in 2003 (continued from previous page)**

	Drug Court								
	Panel Model					Judge Model			
	Cerro Gordo	Marshall		Woodbury		Polk		4 <sup>th</sup> Judicial District	Scott
Adult		Juvenile	Adult	Juvenile	Adult	Juvenile			
Main Substance Used	Methamphetamine	Methamphetamine	Marijuana	Marijuana	Marijuana	Methamphetamine	Alcohol	Methamphetamine	Crack cocaine
Adjudication Model	Post-Adjudication	Post-Adjudication		Post-Adjudication	Mainly Post-Adjudication	Pre- and Post-Adjudication	Pre- and Post-Adjudication	Post-Adjudication	Post-Adjudication
Frequency of Judge Rotation	No Rotation	No Rotation	No Rotation	No Rotation	No Rotation	2 Year	No Rotation	Monthly	2 year
Judge Time on Court	<1 hr/week	<1 hr/month	3 hrs/month	1 hr/week	<1 hr/month	8 hrs/week	13 hrs/week	<1 hr/week	5 hrs/week
Number of Paid Staff (drug court funds)	1	.5	1	2	3.5	3 full-time 3 part-time	4	3.5	2
Number of Additional Team Members	4 + 16 panelists	3 + 40 panelists		1 + 40 panelists	Several (see narrative) + 40 panelists	2	3	7	4
Key Program Requirements or Emphases**	Honesty, Community Involvement	Community Involvement, School or Job, Approved Residence	Family Relationships, School or Job	Education, Employment		Honesty, Healthy Relationships, Community Service	Family, School, Extracurricular Activities	GED if No Diploma, Prohibits New Relationships	Honesty, Full-time Job or School, Approved Residence
Client Fraternization Policy	Case-Specific	Case-Specific		Case-Specific		Encouraged	Case-Specific	Prohibited	Encouraged
Special Programs/Groups	Mentoring, Drug Court Aftercare	None	Life Skills	Education groups for all probation clients	12-Step Study, School, In-home Skill-Building	Alumni Group, Family Group	Occasional Recreational Outings	Alumni Group	Voluntary Faith-based Group for Females
Main Staff-Identified Needs	More time with clients, increased drug testing	Mentoring Program, Seamless Transition between Juvenile and Adult Drug Court		Seamless Transition to Adult Drug Ct, Community-based MH and SA Services		Serve more offenders, reach minorities	SA Services, Family Therapy	Dedicated Judge, Post-Grad. Follow-up	Community Resources, Increased Funding
Supervision after Completion	All Clients – length is case-specific	Extended	Case-specific	Extended	Brief	Extended	Not Generally	None	Case-specific

\*\*In addition to treatment, recovery support activities, and remaining crime-free.

## **Cerro Gordo County Community Drug Court**

### **Date of Inception**

April, 2001.

### **Planning Process**

In 2000, Iowa's then-governor, Tom Vilsack, initiated an expansion of drug courts in the state. The director of the Governor's Office of Drug Control Policy and the director of the 2<sup>nd</sup> Judicial District convened a planning committee to oversee the establishment of new drug courts in the district. Committee members included the 2<sup>nd</sup> District Director, County Attorney, Public Defender, Juvenile Court Services representatives, the Executive Director and a staff member of Prairie Ridge Addiction Treatment Services, a Court Administrator, and a District Court Judge. Cerro Gordo and Marshall Counties were selected based on assessed need. However, judges in both counties indicated they did not have room in their schedules to add drug court hearings. The panel model used by the Woodbury County Drug Court was reviewed and deemed appropriate for Cerro Gordo County. Juveniles were not included in the Cerro Gordo County Drug Court plan due to the limited capacity of juvenile court services at that time.

### **Funding Sources**

Initial funding for the Cerro Gordo County and Marshall County Drug Courts came to the state through a federal Byrne grant that was appropriated through the state legislature in 2000. The legislature withdrew the appropriation in 2001. Both courts received a four-year grant through the Iowa Office of Drug Control Policy that ran through June, 2005. The two drug courts then became part of the 2<sup>nd</sup> Judicial District budget through Healthy Iowa tobacco settlement money. This funding pays for a Drug Court Officer/Coordinator and a treatment contract in both counties.

### **Catchment Area**

Cerro Gordo County, Iowa.

### **Staff Composition**

The Drug Court Officer/Coordinator is the sole paid full time staff person. Other members of the drug court team are the Probation Supervisor, the treatment agency counselor/liason (TASC Officer), panel members, District Court Judge James Drew, and the Mentoring Program Coordinator. Judge Drew spends less than 1 hour/week on drug court matters.

### **Panel Composition**

Sixteen community volunteers comprise the four status review panels. Current police officers and substance abuse counselors are not accepted as panel volunteers due to potential conflicts of interest. A planning commission subcommittee recruited and screened the first panel members. The Drug Court Coordinator now recruits, screens, trains, and monitors the panels. Panel

volunteers are asked to make a one to two year commitment; seven original volunteers still serve on the panels.

### **Average Caseload**

The average caseload is twenty clients, with twenty-four considered the maximum caseload for this court. Clients in Phases I and II see the drug court officer at least weekly, and more often if needed. Clients in Phase III may meet with the drug court officer every other week if doing well, and often have an unscheduled home visit in addition to the office visits. Those in Phase IV generally see the drug court officer every other week. Clients doing very well may be reduced to once every three weeks, but this increases again if there is any evidence of regression.

### **Target Population**

The target population is high-risk offenders with substance abuse issues. Offenders with felony charges are given priority over those with misdemeanors. This population was chosen by the planning committee, based on research indicating that the greatest return on investment is in helping high-risk offenders, who would use the most resources if not treated, to change. Offenders with assault charges initially were rejected; however those with assault charges but without established patterns of abusiveness are now accepted. Individuals thought to be professional criminals with no interest in changing and those who are extremely abusive or have antisocial personality disorder are not accepted into the program.

A significant percentage of these clients would be sentenced to prison if this drug court program were unavailable. Prior to the existence of this drug court, these types of offenders were placed on a traditional probation caseload but many of them failed and were sent to prison.

### **Main Drugs of Abuse**

Staff listed methamphetamine and marijuana as the first and second most commonly used substances by offenders entering drug court. Staff varyingly listed cocaine and alcohol as third most common.

### **Offender Status**

Only offenders who have been tried and convicted are accepted. Some offenders are accepted prior to sentencing. Clients who have successfully completed the program remain on the drug court officer's caseload under regular probation supervision for a period of time. That time period is dependent upon the client's initial charges and what the staff believes the client needs in order to attain maximum benefits from probation.

### **Frequency of Staffing and Status Hearings**

Status reviews, or panel sessions, occur on a weekly basis, alternating weekly between midday sessions and evening sessions. These sessions are held in a conference room at the residential correctional facility (RCF) in Mason City. One

four- to five-member panel serves each week, with an average of five clients reviewed per panel session. Client staffings occur immediately prior to the status reviews. The Drug Court Officer, Treatment Liaison, Mentoring Coordinator, and panel members attend staffings and status reviews.

Clients typically appear only before their home panel, and therefore undergo status reviews every four weeks. In some situations, the panel recommends more frequent appearances for a particular client. When the drug court program began, clients in the first month of the program had weekly status reviews. This was discontinued when the caseload increased. At the time of the evaluation interview, the caseload had decreased again and the team was planning to re-institute weekly reviews if the caseload remained low. This decrease was due to a large number of clients (thirteen) graduating in the past year. Clients appear at the RCF at their scheduled review time and wait to be called in for individual reviews. Clients do not remain in the court room for other clients' reviews.

### **Program Structure**

The program consists of four phases and takes an average of fourteen to eighteen months to complete. Several clients recently have completed the program in twelve to thirteen months. The program has a seven-month minimum based on the time requirements for each phase but it would be rare for a client to finish in that period of time. Treatment and recovery are strongly emphasized; all clients remain in treatment in some form throughout the program and after graduation. Key requirements for program completion include letting go of substance using friends and associations, avoiding places they used drugs or alcohol, and developing new friendships and activities that support a clean, sober lifestyle. The team also encourages clients to become involved in groups and activities that help them feel they are an important part of the community. The team emphasizes the importance of honesty in all aspects of the clients' lives.

Team members indicate the main reasons for client failure are negative peer associations and leisure activities, not staying with a support/recovery system, and lack of readiness for change.

Drug court client fraternization generally is neither encouraged nor prohibited. If clients are observed spending time together and appear to be regressing, the drug court officer and panels will address the situation with those clients and negative associations are discouraged or prohibited to the extent possible. Alternatively, clients are encouraged to develop relationships with new non-using and pro-social friends and associates. Other successful drug court clients may meet this guideline, and those relationships are encouraged. Both situations are used as teaching tools for clients to learn to make good choices about peer associations and set effective boundaries once they finish the program.

The Cerro Gordo County Drug Court holds graduation ceremonies twice per year in the courtroom with the judge presiding. Panel members, the drug court officer

and the mentoring coordinator attend, and clients may invite family and significant others. Graduates may give a speech if they wish. Clients receive a medallion the drug court officer purchases from Hazelden, and a certificate signed by the judge. Cake and beverages, provided and paid for by the drug court team, are served.

### **Other Programs or Groups Offered**

A mentoring program was instituted one year after the inception of this drug court. Mentoring is offered to all drug court clients but is not a required component of the program. Clients may receive a mentor at any point in the program at the client's request. Clients are primarily matched one-on-one with a mentor; however, some husband-wife teams mentor clients. The mentoring relationship continues as long as the client and mentor want it, often lasting beyond the client's completion of the drug court program. The Mentoring Program Coordinator attends staffings and status reviews to become familiar with the clients so he can effectively match them to mentors. He also develops relationships with potential mentors in order to effectively screen them and match mentors with clients. The coordinator is a missionary with On Common Ground Ministries, Inc., who has a local prison ministry and oversees 5 recovery/transition homes in the community. Twelve mentors currently serve the drug court. Mentors are volunteer community members with backgrounds similar to that of the panel, although there currently are no recovering people on the mentor team.

The local treatment agency provides two therapy groups, led primarily by the TASC Officer, that are available to drug court clients: a Drug Court Aftercare group and a Criminal Conduct Outpatient Group. The Drug Court Aftercare group is solely for Cerro Gordo Community Drug Court clients, and consists of bi-weekly group sessions and individual sessions on alternate weeks. Clients enter this group after completing primary substance abuse treatment and are asked to make a 3-month commitment after drug court program completion. Most drug court clients attend this group. Clients for whom this group is not appropriate or have other needs participate in a different form of continuing care, which may include individual counseling sessions and/or group sessions designed to address specific issues such as sexual abuse. The Criminal Conduct Outpatient Group is offered to all drug court and regular probation clients, and lasts 6 months. Participation in this group is not a standard requirement of the drug court program.

### **Needs and Strengths**

Drug court team members reported a variety of issues and needs for this program, but most are based on the need for additional resources. There are more offenders who may benefit from this program than there are resources to serve. Heavy caseloads hinder the team's ability to effectively treat each individual. Courts periodically order inappropriate offenders into the program who divert staff time and energy away from clients who are motivated to change. The judge believes more frequent drug and alcohol testing may help clients stay clean. Panel volunteers and judges could benefit from additional training on addiction and the effects of drugs like methamphetamine on the user. Additionally, panelists may

benefit from further training on criminal thinking. Increasing capacity to treat juvenile offenders may ultimately reduce adult court caseloads and mitigate other life problems for those youth when they become adults.

One of the greatest strengths of this program is the drug court team. The drug court officer, panelists, treatment liaison and mentoring coordinator are dedicated individuals who offer a variety of perspectives but work collaboratively to serve the best interests of the client and the community. The judge, while less actively involved, also demonstrates this dedication. Another strength of this drug court program is the close collaborative relationship of the court to the local treatment agency, facilitated by the treatment liaison.

### **Marshall County Drug Court**

#### **Date of Inception**

October, 2000

#### **Planning Process**

##### *Juvenile Court*

Juvenile and adult courts conducted parallel planning processes after Governor Tom Vilsack initiated an expansion of drug courts in Iowa. The juvenile court office contracted with a consultant, Kevin Duncan, who researched drug courts and organized a planning committee. Sioux City's DC model was reviewed. They realized they would not have sufficient demand to justify a juvenile drug court, so they worked with the adult drug court planning committee to develop a joint court. Juvenile and adult court staff screened and trained panel members; the same panel members and same oversight committee are used for juvenile and adult drug courts.

##### *Adult Court*

A planning committee convened in 1999, with representatives from the Department of Corrections and Public Defender's offices, judges, substance abuse treatment providers, the Chamber of Commerce president and other community stakeholders. An unsuccessful attempt was made to engage mental health providers. The planning committee met for more than one year and visited the Woodbury County Drug Court to observe its model. Grant funding was insufficient to support a judge model, so a panel model similar to that of Woodbury County was chosen.

#### **Funding Sources**

##### *Juvenile Court*

The Governor's Office of Drug Control Policy and the Criminal and Juvenile Justice Planning Division (CJJP) of the Iowa Department of Human Rights provided grant funds for the planning consultant's time (approximately ten hours/week) and for planning committee members to attend national drug court trainings. The Decategorization (Decat) Board provided matching funds. The Decat board

currently allocates Juvenile Accountability Block Grant funds from CJJP to cover one full-time drug court officer position. Supplemental funds from Decat and the Office of Juvenile Justice and Delinquency Prevention's Enforcing Underage Drinking Laws program support drug court activities such as urinalysis testing.

#### *Adult Court*

Initial funding for the Cerro Gordo County and Marshall County Drug Courts came to the state through a federal Byrne grant appropriated through the state legislature in 2000. The legislature withdrew the appropriation in 2001. Both courts then received a four-year grant through the Iowa Office of Drug Control Policy that ran through June, 2005. The drug courts then became part of the 2<sup>nd</sup> Judicial District budget through Healthy Iowa tobacco settlement money. This funding pays for a Drug Court Officer/Coordinator and a treatment contract in both counties.

Regular court general funds may supplement drug court activities, such as when the number of urinalysis tests exceeds the budgeted amount. Panel members volunteer their time. SATUCI provides in-kind services for production of panel training materials, including folders of information on substance abuse and SATUCI's services, and conducting panel training sessions.

#### **Catchment Area**

Marshall County, Iowa

#### **Staff Composition**

##### *Juvenile Court*

One Juvenile Court Officer is the sole full-time staff person paid with drug court funds. Other members of the drug court team include the Juvenile Court Supervisor, the treatment agency's Director of Professional Services, panel volunteers, and Judge Victor Lathrop. Judge Lathrop spends approximately three hours per month on drug court cases.

##### *Adult Court*

One half-time Adult Court Officer is paid on drug court funds. Other team members include one Adult Probation Supervisor, the treatment agency's Director of Professional Services, panel volunteers, and Judge Carl Baker. Judge Baker initially spent one hour or more per week on drug court cases, but now averages one hour per month, including graduations.

#### Panel Composition

Eight panels of three to five members each serve this drug court. One of the Marshall County Drug Court panels received the Governor's Award for Volunteerism. The Department of Corrections submitted the nomination. Panel recruiting initially targeted non-social service related people to lend a true community perspective, and recovering people. The program supervisor endeavored to blend people with diverse perspectives into each panel, and to help them understand each other's perspectives and reach consensus. There are

currently several social service people on the panels, due in part to limited time for recruiting other community members.

### **Average Caseload**

#### *Juvenile Court*

The juvenile drug court caseload averages ten clients. Clients in Phase 1 meet with the drug court officer an average of three to four times a week. Those in Phase 2 generally meet with the drug court officer two to three times a week, and those in Phase 3 meet with him one to two times a week.

#### *Adult Court*

The adult drug court caseload averaged ten clients. Drug court clients constitute only half of the drug court officer's (DCO) caseload. The DCO generally meets with drug court clients on a weekly basis for at least the first six months, then sees clients a minimum of every two weeks regardless of program phase.

### **Target Population**

#### *Juvenile Court*

The juvenile program targets youth up to age 18 who have a legal charge, not necessarily substance-related and those who have substance abuse problems with an increased need for supervision. Most are 16 and 17 years old, although the court has accepted some middle-school age youth. There are no strict limitations on who is accepted into the program rather, decisions are based upon the individual's circumstances and motivation. Without this drug court program, the majority of the juvenile clients would be mandated to residential substance abuse or behavioral treatment programs, and some would be waived to adult court.

#### *Adult Court*

The adult program targets clients with multiple offenses and substance abuse who are willing to comply with the program and who are on their last step prior to prison. This drug court does not accept first offenders. Approximately three years after this drug court's inception, the court made an agreement with the Board of Parole to also allow parolees into the program. The court generally accepts clients with a Level of Service Inventory (LSI) score of 25 to 40; those scoring higher than 40 are considered on the basis of their potential to benefit from the program. Clients with higher severity indices than the team would recommend are occasionally court ordered into the program. There are no definite prohibitions against clients with histories of assault or crimes against persons: each individual situation is considered and the offender's level of motivation and stage of change are key considerations. This program does not accept clients with serious mental health issues who cannot be managed in the community. If this drug court did not exist, the majority of these offenders would go to prison.

## **Main Drugs of Abuse**

### *Juvenile Court*

Staff listed marijuana as the most commonly used drug among juvenile offenders entering the drug court program. Staff members listed alcohol and cocaine as second and third most commonly used substances, in that order. However, one panel member listed methamphetamine as the second most commonly used substance among juvenile clients.

### *Adult Court*

Staff listed methamphetamine as the most commonly used drug among adult offenders entering the drug court program. Staff unanimously listed marijuana as second, and prescription drugs as third most common.

## **Offender Status**

### *Juvenile Court*

All juvenile drug court clients are adjudicated delinquent and court ordered to the program. Following program graduation, clients may be released from probation or be continued on probation at the same or a decreased level of supervision, depending on their initial charges. Charges are not mitigated with successful completion of the program

### *Adult Court*

All clients have been convicted of their charges and are court ordered to the program. Upon successful completion of the program, all clients continue on the drug court officer's caseload under intensive supervision, meeting weekly with the drug court officer for six months. Clients are then transferred into a moderate risk caseload with a criminal court probation officer where supervision may be reduced to one meeting every three to four weeks. Clients are often on probation for a total of two to five years, including their time in the drug court program.

## **Staffing and Status Hearings**

Staffings and status reviews occur weekly in the evening, and are held in a conference room at the residential correctional facility (RCF) in Marshalltown. Two panels convene each week, with three to five members each. Adult and juvenile clients are staffed together, and each panel reviews both adult and juvenile clients. Panel volunteers and the drug court officers participate in staffings and status review hearings. Drug court officers hold client staffings with treatment and school liaisons at other times and communicate client progress to the panels. The drug court supervisors occasionally sit in on panel sessions and a treatment agency staff person may be asked to attend to assist with challenging situations. Clients have a home panel but appear before all panels for status reviews. Clients appear at the RCF at their scheduled review time and wait to be called in for individual reviews. Clients do not remain in the court room for other clients' reviews. Parents and significant others may attend status review hearings.

Adult and juvenile clients generally undergo status review hearings with panels on a weekly basis. Clients in Phases III and IV may request to see only their home panel. This is permitted if the client is doing everything that is asked of him or her and the panel is in unanimous agreement. The court typically sees eight to ten adult clients and ten juvenile clients each week.

In addition to weekly panel reviews, juvenile clients undergo status review hearings with a judge on a bi-weekly basis. These hearings occur on Friday afternoons in a courtroom. The juvenile PO holds client staffings with the judge immediately prior to these reviews. All juvenile clients are present in the courtroom for the entire session. Parents and significant others may attend.

## **Program Structure**

### *Juvenile Court*

The program consists of three phases and takes one to two years to complete. Each phase of the program promotes and encourages family involvement and improvement of family relationships. To successfully complete the program, clients must be involved in at least one ongoing school or community activity, have identified a recovery support group or system, and be employed or enrolled in an educational program. The Drug Court Officer indicates that lack of parental involvement and support is the main contributing factor to clients failing the program.

### *Adult Court*

The adult program consists of four phases. It takes a minimum of one year to complete all general requirements. However, the program is individualized and clients have completed the program in 1½ to 3½ years. The program uses a point system, with each requirement having a point value, and each phase having a required point total to advance to the next phase. Panels have discretionary points they can award clients for exemplary motivation, attitude, or progress. Key requirements include involvement in a community-based activity that provides socialization away from alcohol and drugs, which often includes AA, a church group or a service club; employment or enrollment in an educational program; and maintaining an approved residence.

Drug court staff identified that the primary reason for client failure is a lack of clients' readiness to change. Clients who are not ready to change usually fail to develop new peer relationships and do not access good recovery support after treatment, which are key to client success.

Drug court client fraternization generally is neither encouraged nor prohibited. If clients are observed spending time together and appear to be regressing, the drug court officer and panels will address the situation with those clients, and negative associations are discouraged or prohibited to the extent possible.

The Marshall County Drug Court usually holds adult and juvenile graduation ceremonies in the courtroom with Judge Baker presiding. However, clients can choose instead to graduate in front of their home panel. Drug court staff, panel members, former clients and client's family members usually attend. Clients are allowed to invite anyone in their support network. Judge Lathrop attends juvenile client graduations. Treatment counselors or liaisons attend occasionally. Clients receive a certificate signed by panel members and a photograph of their graduation, as well as a standing ovation. Panels often give the client token gifts and cards. Cake and beverages, paid for personally by the drug court officers, are served.

### **Other Programs or Groups Offered**

#### *Juvenile Court*

Juvenile clients are required to attend a weekly life skills group throughout their time in the drug court program. This group is led by the Juvenile Drug Court Officer. Students involved in extracurricular school activities that conflict with that time are allowed to miss the group, but the drug court officer works with them individually on the lessons.

The local treatment center (SATUCI) has counselors in the middle and high schools who are available to drug court clients.

#### *Adult Court*

There were no therapy or social groups or programs associated with the adult drug court at the time of this evaluation.

### **Needs and Strengths**

Two problems or needs seem most significant for this drug court program. First is that many juvenile clients age out of the program. Clients are legally discharged from the juvenile program when they turn 18, even if they are succeeding but have not yet completed the program. These clients are not transitioned into the adult drug court program; they must re-offend (commit new crimes) repeatedly and severely enough to meet the criteria for entrance into adult drug court. The Juvenile Drug Court Officer prepares these clients for discharge by reinforcing their continued active involvement in NA or AA and assisting them in obtaining employment. He also educates them on relapse prevention strategies and discusses options for support following discharge.

Second is the need for a mentoring program to provide added support to clients during and after completion of the drug court program. Recovery support resources are limited in this small community and it is difficult for clients to completely avoid negative peer influences. Other needs include additional substance abuse and mental health services (there are no inpatient mental health services available locally), additional resources to provide ongoing training and support to panel volunteers, and resources to implement panelists' innovative ideas that may increase client success.

While the size of the community presents challenges such as those outlined above, it also provides benefits that may not be as salient in larger communities. Benefits include a close network among human service providers and the court facilitates linking clients with services, coordinating services, and communicating about client progress. In addition, panel volunteers provide a visible, tangible presence of support to clients out in the community, where there are ample opportunities for panelists and clients to see each other on the streets, in local businesses, and in other public settings.

## **Woodbury County Community Drug Court**

### **Date of Inception**

July, 1999

### **Planning Process**

A group of concerned citizens held a series of meetings to discuss how to address the increase in substance-related crimes in the community. Gary Niles, Chief Juvenile Court Officer for the 3<sup>rd</sup> Judicial District, had studied drug court research and suggested a drug court program. The group presented their concerns and drug court research findings to the district judges. The judges' schedules did not allow for the addition of drug court hearings, so Mr. Niles proposed the concept of a community accountability board or panel, which the judges accepted. The idea for the community panel model was based on the police department's Citizen Police Academy program and the jury concept, in which citizens are empowered to make legally binding decisions.

### **Funding Sources**

#### *Juvenile Court*

The juvenile drug court was funded by the U.S. Department of Justice from 1999 to 2003. A Byrne grant directed through the state legislature funded the program in 2004. In 2005, the legislature cut those funds by forty-two percent, and county funding was added to cover one full-time juvenile drug court officer. In 2006, through the efforts of State Representative Heaton, the legislature allocated \$1 million to fund juvenile drug courts in Polk, Marshall, and Woodbury counties. This allocation has funded two officers for Woodbury County since 2006. Carve-out money from Department of Human Services' budget currently pays the treatment services contract.

#### *Adult Court*

The adult drug court was funded by the U.S. Department of Justice for the first two years, and has since been funded through tobacco settlement dollars as part of the Department of Corrections budget.

### **Catchment Area**

Woodbury County, Iowa

## **Staff Composition**

### *Juvenile Court*

The juvenile drug court staff consists of three full-time and one half-time juvenile drug court officers paid with drug court funds. The juvenile drug court also makes use of regular juvenile court school liaisons, school-based probation officers, trackers, and in-home therapists to assist in monitoring clients' activities and providing additional services and support. (See "Other Programs, Groups, or Services Offered" in this section for more information.) Juvenile Court Judge Brian Michaelson sees drug court clients if they are referred back to regular juvenile court.

### *Adult Court*

There are two full-time adult drug court officers on staff. Judge John Ackerman is appointed to oversee the adult drug court and is the lead judge for both programs. Judge Ackerman attends panel sessions on occasion if he feels the client would benefit from his presence or support, and participates in all panel training sessions. The judge spends an average of 1 hour per week on drug court issues.

## Panel Composition

Ten volunteer panels consisting of four members each serve the Woodbury County Community Drug Court. One panel consisting of ten panelists originally served the court, but this number of panelists made status reviews time consuming and it was intimidating for the clients. Individuals who team members believe would be good panelists are recruited through personal contacts. More than twenty of the current panel volunteers have served on the panels since this program began.

## **Average Caseload**

### *Juvenile Court*

The juvenile drug court caseload averages thirty-five clients, with individual drug court officers' caseloads averaging ten clients per full time officer. Drug court officers also supervise juveniles with substance-related charges who are not in the drug court program. These clients were deemed not in need of treatment at the time of evaluation but may later enter the drug court program if they continue using substances. Drug court clients meet with drug court officers at least once per week, and usually twice per week in the first program phase. Drug court officers make surprise home visits in addition to meeting with clients at the drug court office. The frequency of contact with clients may be lessened if the client is at the end of his or her probation period and is nearing completion of the drug court program.

### *Adult Court*

The total adult caseload averages seventy to eighty clients. Each drug court officer carries a caseload of nearly forty clients. Drug court officers meet with clients at least every two weeks in Phases I and II. In some cases, drug court

officers see these clients two to three times per week for drug testing. In Phases III and IV, clients generally meet with drug court officers once per month.

### **Target Population**

The drug court primarily serves convicted clients in need of substance abuse treatment. The juvenile drug court will occasionally accept clients on informal probation if deemed appropriate and the client appears motivated. Offenders with serious mental health issues are not appropriate for the juvenile or adult program.

The adult program targets offenders sentenced in Woodbury County with aggravated misdemeanors yielding up to two-year sentences or felonies yielding five- to ten-year sentences. The program does not accept clients coming out of prison, but is the last resort for clients prior to prison. The adult drug court does not serve clients with current violent crimes against persons, histories of assaultive behavior, weapons or sexual abuse charges. The juvenile program generally does not accept clients with habitual assaultive or abusive behavior, or severe family dysfunction.

Prior to the existence of this program, some adult and juvenile clients would have been on criminal court probation with added conditions but less supervision and no built-in substance abuse recovery support. Other juvenile clients would be sent to residential substance abuse or behavioral treatment programs. Many adult clients would have been sent to prison.

### **Main Drugs of Abuse**

#### *Juvenile Court*

Juvenile drug court team members indicated marijuana and alcohol are the first and second most commonly used substances among juvenile clients entering drug court. Team members varyingly listed methamphetamine and cocaine as third most common. They also indicated that the order of these substances can vary in terms of which is most prevalent in the entering population at any given time. An adolescent treatment counselor indicated that methamphetamine is decreasing and prescription drugs such as the attention deficit disorder medication, Adderall, now are more commonly seen.

#### *Adult Court*

Most drug court team members listed the most commonly used substances among offenders entering drug court as marijuana first, alcohol second, and methamphetamine third. However, the treatment staff person interviewed ranked methamphetamine as the most common, marijuana second, and alcohol third.

### **Offender Status**

#### *Juvenile Court*

The juvenile court is primarily a post-adjudication program, with clients being adjudicated delinquent and court ordered to drug court. As mentioned above, informal probation clients occasionally are accepted if they seem sufficiently

motivated. Most clients remain on probation thirty days following successful completion of the program. Some remain on the drug court officer's caseload longer, depending on their initial charges.

### *Adult Court*

Adult program clients have been tried and convicted, and may enter the drug court program voluntarily or be court ordered. Regular probation clients who violate their conditions of probation or commit minor offenses while on probation and appear to have substance abuse problems may be referred to drug court under the intermediate criminal sanctions plan (a plan created by the state legislature to develop a continuum of services for offenders). These offenders generally are complying with most conditions of supervision but may be having difficulty in one or two areas and may fail at regular probation if not given additional assistance.

Upon successful completion of the program, clients remain on continued supervision unless they have reached a discharge point in the legal process. Clients with nine to ten months remaining until legal discharge will remain on the drug court officer's caseload. Those with longer remaining probation times are usually transferred to a regular probation caseload.

### **Frequency of Staffing and Status Hearings**

Panel review sessions are held weekly in the evenings in courtrooms, with adult and juvenile clients reviewed by separate panels. Two nights per month, one adult and two juvenile panels convene; on alternate weeks, one adult and one juvenile panel convene. Each juvenile panel reviews an average of six clients per session, and adult panels review an average of eight to ten clients per session.

Adult and juvenile clients typically undergo panel review once per month. However, clients are seen more frequently in the first phase of the program, and a home panel may recommend a client see an additional panel that month as a sanction. Parents of juvenile clients often attend, though are not required to do so.

Staffings occur immediately prior to the panel sessions, with adult and juvenile teams meeting in separate areas of a conference room in the courthouse. Drug court officers and panel members attend adult staffings. Juvenile staffings involve the drug court officers, panel members, juvenile probation trackers and in-home workers, and the Jackson Recovery adolescent treatment counselors who are involved with the particular clients being reviewed. These team members also attend the juvenile panel review sessions.

The Woodbury County Drug Court historically has conducted individual reviews, where only the client being seen is in the room with the panel. However, the court is currently piloting group reviews one night per month where all clients enter the courtroom at the start of the hearings and observe reviews of other clients going before them. Each client may leave after his/her review. Clients doing well are reviewed first, which creates an incentive as those clients may leave early. Clients

being sent to prison also are reviewed early, creating an additional consequence as they are removed from the courtroom in handcuffs in front of their peers. This is also viewed as a teaching tool for the other clients. Dr. Dwight Vick, with Texas A & M University, is evaluating the group model for the Woodbury County drug court. If the group model pilot proves effective, all panel sessions for this court will switch to the group format.

### **Program Structure**

The drug court program consists of four phases. Each phase requires a minimum number of weeks as well as achievement of objectives. The juvenile program takes twelve to sixteen months to complete; the adult program takes twelve to eighteen months. Education, employment and a solid recovery program with 12-step involvement are heavily emphasized in both programs.

Team members indicate the main reasons for client failure are general non-compliance, continued association with negative peers, lack of recovery or family support, indifference toward authority, and a lack of acceptance that their behavior could lead to more serious consequences.

Drug court client fraternization is addressed on a case by case basis. Negative peer associations are discouraged, but clients are encouraged to spend time with positive people in recovery, which may include some drug court clients.

The Woodbury County Drug Court conducts graduation ceremonies individually during status review hearings. Panel members discuss the client's progress through the program and provide feedback on significant accomplishments. Panel members give the client a certificate, a medallion, and a cake to take home. Juvenile clients also receive a mall gift certificate or other similar gift. Clients may invite family members and significant others to attend. Congratulatory expressions vary by panel, but are often limited to verbal expressions. Some panels applaud and shake clients' hands, which occurs more frequently in the group panel reviews.

### **Other Programs or Groups Offered**

#### *Juvenile Court*

The Woodbury County Juvenile Court Office (JCO) has an in-house school program that serves youth not ready for full-time school, youth in trouble in regular school, and youth with diplomas in need of post-secondary help. The school opened in 2006 and is staffed by a full-time Education Coordinator employed by the court. Local schools officially recognize the Education Coordinator as a district teacher and accept all credits earned by students in the JCO School.

The juvenile drug court also has access to the services of trackers, school-based probation officers and liaisons, and in-home workers employed by the Juvenile Court Office. Trackers assist the drug court officers with urine sample collection, curfew checks, providing transportation for clients to appointments, assist clients in finding jobs, and provide other support services as deemed needed by the officers.

JCO school liaisons/probation officers offer in-school support for drug court and regular probation clients and provide improved communication between court officers and the school. In-home workers provide skill building and structure development for clients.

A weekly 12-step study group for juvenile drug court clients is run by a local therapist in private practice; attendance is required. One drug court officer and some trackers take clients to Alcoholics Anonymous or Narcotics Anonymous meetings on at least a weekly basis. Activity nights, such as bowling or movie outings, are held weekly for which clients can become eligible. Other one-time social and educational events also are offered as incentives or rewards for clients. For instance, a local agency provides a cooking class taught by a chef, who also educates clients on requirements to become a chef. The class is followed by a food service related job fair. This is offered for all juvenile probation clients.

This juvenile probation department recently received an AmeriCorps grant to start a mentoring program with all juvenile offenders, including drug court clients.

#### *Adult Court*

The Department of Corrections' Community Treatment Coordinator conducts single-session groups open to all probation clients. Drug court staff refers clients to the relapse education, cognitive empathy, and anger management classes. The local treatment agency offers a series of classes on addiction and the family that is available to drug court clients and significant others.

#### **Needs and Strengths**

While numerous resources are available to this drug court, team members identified a variety of issues and needs. Juvenile clients aging out of the program is a major concern, as it is for the Marshall County team. Many clients turn 18 before they have completed the program and often need additional time and support to address their problems and solidify their recovery. One juvenile court officer indicated that in some situations a judge has issued a continuance for the client to remain in drug court, but this is not routinely done.

Team members expressed a need for increased commitment on the part of panel volunteers. Panels at times conduct status reviews with only two of four members present, which may send a message to clients that they are not a priority for the panelists. Staff indicates that some clients express disappointment when their home panel members are not present.

Based on communication problems identified by drug court staff, it is this evaluator's impression that staff and clients may benefit from improvements in communication across panels, between panels and drug court officers, and from the team to the clients. Home panels should provide more information about clients when referring them to other panels. Drug court officers should clarify with panelists what client information is pertinent to them and encourage panels to ask

clients about those issues and communicate responses back to the drug court officer. Team members should provide additional clarification to clients about court appointment schedules and schedule changes.

Staff also expressed a need for additional community and program-based resources. Substance abuse and mental health services in the community are limited, particularly for clients with no or little means to pay. Halfway houses are needed for juveniles whose home environments are detrimental. Options for residential placement of juveniles with limited financial resources are lacking and these clients must be adjudicated in order to receive needed services. Juvenile staff also indicated a need for additional resources for staff and panelists to have more frequent contact with clients needing increased supervision.

This drug court program also has several strengths. The program has access to several resources and services of the juvenile and adult criminal probation offices. The program has the full support of the judiciary. The program also appears to enjoy community support, having numerous volunteer panel members who promote the program and have remained involved for several years.

### **Polk County Intensive Supervision Adult Drug Court**

#### **Date of Inception**

August, 1996

#### **Planning Process**

A Drug Court Development Committee was formed in 1994, consisting of a judge, an assistant county attorney, a public defender, the Dept. of Corrections Substance Abuse Program Coordinator, representatives from the Iowa Division of Criminal and Juvenile Justice Planning, representatives from the 5<sup>th</sup> Judicial District Department of Corrections, and representatives from the state's substance abuse managed care program. The development committee created a community advisory committee to gather input from additional stakeholders. This committee consisted of development committee members, the Chief Justice of the 5<sup>th</sup> Judicial District, and representatives from the Iowa Department of Public Health, Division of Substance Abuse; Des Moines Police Department; Polk County Sheriff's Department; Polk County Jail; and community based substance abuse treatment agencies.

#### **Funding Sources**

The U.S. Department of Justice awarded the 5<sup>th</sup> Judicial District a planning grant in the spring of 1995. The drug court was funded by a federal Byrne grant from 1996 through 2000. Since then, the court has been funded through a general appropriation of the state legislature from tobacco settlement funds.

## **Catchment Area**

Polk County, Iowa.

## **Staff Composition**

Staff paid with drug court funds include: the Drug Court Coordinator, who is a Probation/Parole Supervisor, paid at fifty percent time on drug court; two full-time drug court officers; one quarter-time Assistant County Attorney, who is paid at ten hours per week with drug court funds; one half-time defense attorney, who is paid at sixteen to twenty hours per week with drug court funds; and one full-time treatment liaison employed by Employee and Family Resources (EFR) and paid by contract with drug court funds. The judge serving the drug court works an average of eight hours per week on drug court cases, but his/her time is not paid with drug court funds. Sixteen district court judges serve this drug court on a rotating basis for two-year terms. Therefore, most judges will only serve the drug court once. If the current judge is unavailable for a drug court session, he/she asks the judge who most recently served to fill in.

A part-time treatment liaison employed by EFR is also a member of the team but is not paid with drug court funds. This person sees thirty percent of drug court clients. At the time of the evaluation, EFR and the drug court were seeking funds to pay for this person's time on drug court. Treatment liaisons provide various services to drug court clients in addition to relaying treatment progress. Those duties include assessment of non-jailed clients, referral, obtaining proper releases of information and meeting regularly with clients once clients complete treatment.

## **Average Caseload**

The caseload averages sixty-five to seventy, with an average of six offenders under consideration for entry into program at any given time. Drug court officers see clients in Phase 1 approximately three times per week. Frequency of contact decreases as clients move to higher phases. The drug court officers see clients in Phase 5 two to three times per month. The drug court officers and supervisor make concerted efforts to know all drug court clients, not just those on their specific caseloads. These staff members' offices are adjacent to each other, which increases face to face contact with clients and facilitates communication among staff. Team members believe clients have a better chance of success if they know the clients well.

Clients also meet with treatment liaisons on a regular basis once they have completed substance abuse treatment. Liaisons typically see Phase 1 clients weekly, Phase 2 clients bi-weekly, and so on, but will see clients who need increased support more frequently.

## **Target Population**

This drug court originally served only clients with misdemeanors. However, the team discovered that these clients did not have sufficient motivation or incentive to comply with the program schedule and requirements. The court now serves felony

offenders with drug problems. The court serves some offenders whose primary problem is with alcohol, but these comprise only a small portion of the caseload. The court typically does not accept offenders with Class A felonies (such as first degree murder or homicide occurring during commission of another felony act), past or present sex offenses, or clients affiliated with gangs. Clients with weapons charges may be accepted, depending on the individual characteristics of the client and the situation. The team sets few absolute restrictions in order to remain open to all who may be helped by the program.

Most offenders served by this drug court would be sent to prison or a residential correctional facility if this drug court program were not available.

### **Main Drugs of Abuse**

Team members unanimously listed methamphetamine as the most commonly used substance among clients entering drug court. Alcohol, marijuana, and cocaine were varyingly listed as second and third most commonly used drugs among offenders entering the program.

### **Offender Status**

The drug court accepts felony offenders at any stage in the legal process: those who have not yet pled or been convicted; those convicted but not sentenced; post-conviction offenders on probation; and offenders on parole or probation who have picked up a new charge. Upon successful completion of the program, all clients remain on probation under the Drug Court Coordinator's supervision for a minimum of 6 months.

### **Frequency of Staffing and Status Hearings**

Status review hearings are held weekly in a courtroom. Staffings occur weekly and are held the day before the hearings. All drug court team members attend staffings and status review hearings. The court reviews twenty to thirty-five clients each week. Clients in Phase 1 undergo status review hearings weekly; those in Phase 2 undergo review bi-weekly; those in Phase 3 appear every three weeks; those in Phase 4 appear every four weeks; and those in Phase 5 appear every five weeks. All clients appearing for review attend the entire court session. This court originally conducted private reviews where only the client being reviewed was present in the courtroom. This procedure changed during Judge Hutchison's tenure in 1999 or 2000 in an attempt to provide clients with opportunities to learn from other clients' situations and gain familiarity with their peers in the program.

The court also holds an all client meeting one to two times per year to review and reinforce program rules.

### **Program Structure**

The program consists of five phases and takes a minimum of sixteen months to complete. Phases 1 through 4 have a three-month minimum, with court reviews. Clients in residential treatment must be in a phase three months outside of

treatment to advance to the next phase. Phase 5 has a four-month minimum and the client must have been in Phase 5 at the time of the last graduation ceremony in order to graduate. Phase movement criteria are written down but are not inflexible. The program initially had 4 phases but many clients relapsed or re-offended, so a fifth phase was added and the program length was extended in 1999 or 2000. This drug court also offers a "Relapse Phase" program for graduates who have returned to using drugs or are demonstrating behaviors and attitudes that signal a potential return to drugs. The relapse program lasts fifteen to twenty weeks and consists of three phases, with daily AA or NA attendance required throughout.

Honesty in all aspects of the client's life is heavily emphasized by the team. The team has identified that relationship issues are a major contributor to client failure. The drug court originally placed severe restrictions on relationships and prohibited relationships that appeared detrimental to the client. However, the team discovered that clients would simply maintain these relationships and lie to the court. Therefore, the court no longer prohibits these relationships but emphasizes complete honesty and attempts to help clients resolve relationship problems and make wiser choices about relationships and associations.

Twelve-step involvement is also a key component of the program, with a minimum of three 12-step meetings per week required in all phases. Twelve-step work is part of the phase requirements and clients must complete the fourth and fifth steps of AA or NA to graduate from the program.

Contact between drug court clients is encouraged in this program. The team feels the community bonds that form and the potential for clients to learn from each others' experiences are beneficial to clients.

Seventy-five hours of community service are required for successful program completion. A former drug court graduate employed by the parks department coordinates most of the work for drug court clients. The community service division of the Department of Corrections monitors the program. Gainful employment is also an important part of the program and clients are required to obtain a GED to graduate from the program.

As mentioned above, team members report that dishonesty about relationships is a significant factor leading to client failure. In addition, repeated dishonesty about substance use and attendance at 12-step meeting or community service participation are common reasons clients fail the program. According to staff, these behaviors stem from clients' lack of acceptance of their need to change and an unwillingness to accept direction from the drug court team.

The Polk County Adult Drug Court holds graduation ceremonies three times per year, in January, May and September. Ceremonies are held at the courthouse with the Drug Court Coordinator leading the ceremony. A speaker from the community gives a fifteen to twenty minute speech. Past speakers include judges,

drug court alumni, treatment providers, and representatives from the recovery community. Graduating clients give speeches and the guest speaker assists the coordinator in handing out certificates of completion to those graduating. Clients who had clean drug tests throughout the program also receive a special certificate commemorating that success. All team members attend the ceremony; current and past judges usually attend. Clients may invite family, friends, and anyone else they wish to include. The team is currently discussing the idea of requiring current drug court clients to attend; however the limited space in the courtroom may make this difficult. The drug court budgets funds to provide certificates and refreshments (usually cake, punch, mints, and nuts) for three graduation ceremonies per year.

### **Other Programs or Groups Offered**

This drug court offers an alumni group and a family group. The Alumni Group meets twice per month and provides support for various client issues and provides socialization for clients and graduates. All clients in Phase 5 and graduates still on probation are required to participate in this group. In addition, clients in earlier phases must attend according to their phase (clients must attend once while in Phase 1, twice while in Phase 2, etc.). The Drug Court Coordinator attends and helps facilitate most meetings. Approximately half of graduates remain in the group after release from probation.

The Drug Court Family Group also meets twice per month. The team strongly encourages client's family members to attend. This is primarily an education group based on a Hazelden education format. It is not designed to be a therapy group but does provide some opportunity for sharing of concerns and processing feelings. Family members gain understanding of the addiction and recovery process, co-dependency, and the drug court program. The group also helps family members develop a support system and allows the drug court team to become acquainted with them. The treatment liaisons facilitate this group on an alternating basis. Representatives from Al-Anon periodically give presentations at these group meetings.

### **Needs and Strengths**

Team members identified three main areas of need for this drug court. Several team members indicated a need for additional funding to increase capacity to treat more offenders and high needs individuals. They also reported a need to reach more minority offenders and the need for the support of the Drugs and Gangs Unit of the County Attorney's Office. Staff members believe offenders of racial and ethnic minority groups are not being referred to the program as often as they should be. Staff also wants to improve its work with clients on relationship issues. The drug court officer indicated that a relationship curriculum to teach clients aspects of healthy relationships and guidelines for the team to address client relationship issues would be beneficial. It may be helpful for this drug court to collaborate with the local domestic violence program to obtain develop a curriculum or obtain materials on healthy relationships. The judge also identified a

need for increased expertise in dealing with mental health and co-occurring substance abuse and mental health issues among drug court clients.

Team members unanimously indicated that the greatest strength of this drug court is its ability to positively affect the lives of offenders and those around them. They credit the diversity, longevity, and experience of the team (which includes recovering people and those with family members who were alcoholics or addicts), and their ability to address each client's unique situations and problems individually.

## **Polk County Juvenile Drug Court**

### **Date of Inception**

August, 1999

### **Planning Process**

Judge Karla Fultz initiated the establishment of a juvenile drug court in Polk County. Juvenile Court Services applied for and received a federal Byrne grant from the U.S. Department of Justice, Bureau of Justice Assistance to establish the court.

### **Funding Sources**

The Byrne grant funded the drug court for the first three years, covering the salaries of one drug court officer, three case managers, a public defender and a prosecutor, with additional funds to cover family counseling. When the Byrne grant ended, the Polk County Board of Supervisors provided funds to cover staff salaries for one year. The County Sheriff also sought a vehicle for directing his office's forfeiture money to the drug court. The Polk County Drug Court Foundation was established under the auspices of the Greater Des Moines Foundation to fulfill this purpose. This funding covered some staff salaries until 2006 when the state legislature appropriated funds to Polk County Juvenile Court Services for drug court staff. The Public Defender's and County Attorney's Offices assumed the costs of providing attorneys for the drug court. Funds from the Polk County Drug Court Foundation were directed to Children and Families of Iowa's Justice Group to provide family therapy services for clients with little means to pay. The court receives additional grant money from Prairie Meadows Casino and The Greater Des Moines Foundation for client retention efforts. Some of these funds are used to help pay for such things as college entrance exams and graduation caps and gowns for clients unable to afford those expenses.

### **Catchment Area**

Polk County, Iowa

**Staff Composition**

One full time Juvenile Court Officer and three full time Case Managers are paid through drug court funds. Additional staff includes one Public Defender whose time is paid by the Public Defender's Office, working fifteen to twenty hours per week on drug court cases; one Prosecuting Attorney whose time is paid by the County Attorney's Office, averaging sixteen hours per week on drug court work, and Judge Karla Fultz, who typically spends twelve to fourteen hours per week on drug court issues. The judge may spend sixteen to eighteen hours per week on drug court issues if there are significant client problems or funding/contract issues to address.

**Average Caseload**

The average caseload for this program is thirty clients. The drug court officer meets with clients at least twice per month at the probation office. He also makes home and school visits, intervenes in family problems at clients' homes and may meet with clients at court on status review days if issues arise that need to be addressed. Case managers have nearly daily contact with clients in person or by phone, monitoring treatment and curfew compliance, school attendance, and drug tests. Case managers also take clients on social outings individually or in groups.

**Target Population**

This program serves youth with substance-related crimes and youth who committed non-substance crimes primarily to support their substance use. The program targets youth with illegal behaviors caused by or related to substance use rather than those who use substances but primarily have behavior problems. Offenders with serious violent crimes or assaultive behavior or weapons charges are not accepted into the program. The program was originally intended to treat younger offenders before their substance use became worse, but over time the caseload has changed to older, more experienced substance abusers/offenders. This is due to a change in philosophy at the county attorney's office, which no longer files for adjudication on first or second referrals to juvenile court. The County Attorney now often refers offenders to drug court who have been referred to juvenile court for the fourth or fifth time and tend to be older (more 17 year olds), and may have more difficulty in changing their behaviors.

If the drug court program were not available, most of the clients would be placed in residential substance abuse or behavioral treatment facilities, including the state training school. According to staff, this drug court program gives juveniles more chances to succeed and achieve sobriety in the community and in some cases works to alleviate negative emotions and reactions resulting from previous court experiences.

**Main Drugs of Abuse**

Drug court staff list alcohol and marijuana as the first and second most commonly used substances among the drug court clients. Staff varyingly named

methamphetamine or prescription drugs as the third most commonly used substance. However, staff indicated that clients who primarily used those drugs prior to the program often do not relapse with those substances. These clients are more likely to use alcohol and marijuana if they use while in the program.

### **Offender Status**

The legal status of offenders in this drug court program varies depending on the severity of their charges and legal history. Some clients are on informal probation, some are on formal probation, and some are court ordered to the program. The drug court also occasionally accepts juveniles from regular probation who were placed in residential behavioral treatment or correctional programs and need increased supervision to transition back into the community.

Upon successful completion of the program, most clients are discharged from probation. There is no continued formal supervision if the client's probation period is finished, although staff monitors clients' legal involvement for one year after completion to assess outcomes. A few clients remain on the drug court officer's caseload for a period of time depending on their legal charges and probation status. Some clients are on probation for eighteen months to two years to pay off restitution. Clients who turn 18 while in the program are discharged with "maximum benefits," indicating that they have not completed the program but have progressed up to the point of discharge. The team prepares clients for discharge by ensuring they are actively involved in NA or AA other organized sober activities, and are employed or enrolled in an educational program. Former clients occasionally contact the case managers and drug court officer for guidance and the staff is responsive to their needs.

### **Frequency of Staffing and Status Hearings**

Staffings and status review hearings occur weekly, in a courtroom. All drug court team members, including the judge, attend staffings and status review hearings. Representatives from treatment agencies also attend staffings to provide client status reports, but generally are not present in status review hearings. Every client is discussed at each staffing even if not reviewed in court that week. Clients' parents are encouraged to attend status review hearings. The frequency of clients' appearance in court varies by program phase. Clients in Phase 1 appear every week. Clients in Phase 2 appear every two to three weeks unless they are having problems; if they are using, skipping school, etc. they will appear in court that week. Clients in Phase 3 appear approximately once per month. Staff members indicate that some clients, especially those who get little encouragement at home, prefer to attend the court hearings more often and are allowed to do so.

### **Program Structure**

The program consists of three phases averaging three months each, although time in individual phases varies. Most clients take nine to twelve months to complete the program, although staff reports a recent trend of completions in six to nine

months. Clients who enter residential treatment must have a minimum of six months in the community afterwards to prove they can live in the community prior to completing the drug court program. Clients are required to attend AA or NA meetings at least once per week after completing treatment. Some meetings are held at the juvenile detention facility.

The drug court judge strongly emphasizes the importance of education as well as treatment and sobriety/recovery. School grade reports are reviewed with the clients during review hearings. Family relationships are also a key focus of this program and involvement of all family members is strongly encouraged. The judge's objectives are to treat the entire family and all aspects of the client's life. The team also emphasizes client involvement in a job or other positive extracurricular activities to develop productive habits, create sober social connections, and avoid negative influences.

Community service is not a standard requirement for this program and is used infrequently as a sanction, as the team prefers clients obtain gainful employment. Clients ordered to the violator's program perform weekend community service as part of that program.

The judge neither prohibits nor encourages client fraternization as a general rule. Client associations are evaluated on a case by case basis and specific associations will be prohibited if appearing detrimental to one or both clients.

Staff unanimously reported that family situations are the main contributing factor to clients failing the drug court program.

The Polk County Juvenile Drug Court holds graduation ceremonies every three to four months in the courtroom. Ceremonies previously were held at the Des Moines Botanical Center or other community venue, but current budget constraints preclude this. Judge Fultz presides over the ceremony. Clients are asked to give a speech and receive a certificate or plaque commemorating their success. All members of the drug court team, graduating clients' family members, friends, and all drug court clients attend the ceremony. Representatives from Senator Harkin's office and the County Attorney's office also attend. Cake, coffee and soda are served at the end of the ceremony. The drug court coordinator typically provides the cake and beverages and receives reimbursement from the Greater Des Moines Foundation when there are sufficient funds.

### **Other Programs or Groups Offered**

There are no organized groups associated with this drug court program. Case managers occasionally take clients on social outings such as bowling or to movies to expose them to fun sober activities and develop social skills. Children and Families of Iowa's Downtown Program also offers sober social activities, but many drug court clients are too busy to participate. The drug court intentionally keeps clients busy to stay away from negative influences and increase chances of

sobriety. The judge will refer some clients to a police-run boxing program in the community. A juvenile probation officer is actively involved with this program.

### **Needs and Strengths**

Three main needs were identified by drug court staff: in-home family therapy services; substance abuse treatment services; and additional case management services. Many clients need family therapy but often cannot afford such services. Drug court staff address family needs to the extent possible but are not qualified and do not have time to provide family therapy. Staff indicates that affordable substance abuse services, particularly for juvenile males, are limited in the community and that they do not have full confidence in the competency of those programs. Many clients do not have Title 19 or have already used the maximum benefits allowed by private insurance companies, but are in need of further treatment they cannot afford. The judge will adjudicate juveniles delinquent in some of these cases for the sole purpose of accessing treatment services. Additional funding for case management services may aid in retention of highly competent case managers and allow more time to expose clients to sober, fun activities and to develop social skills and support systems.

Most staff identified the team members and team collaboration as a significant strength of this drug court program. Team members bring long-term experience and diverse knowledge and perspectives to the table. Team members are adaptable to clients changing needs and unique situations and genuinely care about clients' well-being. Team members disagree on occasion but usually arrive at joint resolutions for the best interest of the client. In cases where staff cannot reach consensus, the judge makes the final decision.

Staff also indicated that the ability to institute immediate sanctions, to keep close tabs on clients through direct and collateral contacts with teachers and parents, and time spent in getting to know each client and each family are strengths of this program.

## **4<sup>th</sup> Judicial District Drug Court**

### **Date of Inception**

January, 2000

### **Planning Process**

A group of stakeholders including Judge Burgett and a county attorney visited drug courts in Des Moines and other states and developed this court based on best practices. The Drug Court Administration in Washington, D. C. awarded a \$20,000 planning grant to develop the drug court program.

### **Funding Sources**

This court is funded through the legislature with tobacco settlement dollars and has been funded each year at the same amount as the first year. The Department of Corrections supplements the budget to cover staff pay raises and some urinalysis testing. An attorney in private practice serves as defense attorney for the drug court. The Public Defender's Office pays this attorney through grant funds for his work on drug court cases.

### **Catchment Area**

This drug court serves the entire 4<sup>th</sup> Judicial District, encompassing nine counties. Those counties are Audubon, Cass, Fremont, Harrison, Mills, Montgomery, Page, Pottawattamie and Shelby.

### **Staff Composition**

Two full-time drug court officers, one full-time TASC Officer, and one half-time secretary comprise the staff paid by drug court funds. Additional team members include: the probation supervisor; an assistant county attorney whose time is donated by the district court, averaging five to six hours per week on drug court work; a private attorney acting as public defender, working seven to fifteen hours per week on drug court cases; a TASC Officer who conducts substance abuse evaluations, monitors treatment progress, and provides other client support services; a police officer who conducts surveillance and curfew checks on the drug court clients; a representative from the local state contracted substance abuse service provider for indigent clients; and district court judges who serve the drug court on a monthly rotation. Judges average less than one hour per week on drug court work.

### **Average Caseload**

The total caseload for this drug court usually ranges from fifty to fifty-five clients. The caseload at the time of the evaluation was slightly lower, at forty to forty-five. Sixty is considered the maximum number of clients the program can serve well. The senior-level drug court officer carries ten more cases than does the junior level drug court officer. Drug court officers meet with clients weekly in Phase 1 and every two weeks in Phases 2 through 4.

### **Target Population**

This program primarily serves offenders with felony convictions who have substance abuse problems. Some clients with serious misdemeanor convictions occasionally are accepted into the program. Alcohol may be part of a client's addition problem, but the program does not serve clients with only Operating While Intoxicated (OWI) charges. The staff generally does not accept violent offenders or major drug dealers who are not dealing primarily to support their own drug habit; however, rare exceptions have been made.

Prior to the existence of this drug court, some of these offenders would plea bargain for reduced sentences and receive community probation. These offenders

would not receive the intense supervision or the option to work off their charges. According to staff, the majority of the offenders would end up with prison sentences. All would have felonies remain on their record permanently.

### **Main Drugs of Abuse**

All team members agreed methamphetamine is the most common substance among the drug court clients. Staff reported that nearly all clients are methamphetamine users, even if methamphetamine is not their primary drug of choice. Marijuana, cocaine, and alcohol were varyingly mentioned as second and third most commonly used drugs.

### **Offender Status**

This program uses a post-adjudication model. Clients entering drug court must plead guilty to all outstanding charges and give up all rights to a trial, after a thirty-day window in which they can rescind their plea. If the offender rescinds the plea and opts out of drug court, any information shared with the drug court team is kept confidential and not subject to use in regular court. Sentencing is deferred for two years for offenders remaining in the program. This drug court is unique among those reviewed in this report in that all charges are dropped if the offender successfully completes the drug court program.

### **Frequency of Staffing and Status Hearings**

Staffings and status hearings are held weekly in a courtroom. In staffings, the drug court team usually discusses only clients being reviewed in the hearing that day and new clients being screened for admission. The probation supervisor, drug court officers, TASC Officer, prosecuting attorney, public defender, police officer, and treatment agency representative regularly attend staffings and status review hearings. A district court judge presides over status review hearings when available. These judges often have conflicting commitments that limit their availability for status review hearings. Judges do not attend staffings and often are present in status review hearings only for clients needing sentencing or discharge from jail. Team members conduct the status reviews when a judge is delayed or unavailable.

Frequency of client appearance in court depends on the client's phase in the program. Phase 1 clients appear weekly, Phase 2 clients appear every two weeks, Phase 3 clients appear every three weeks, and Phase 4 clients appear every four weeks. The Judge may order exceptions to this schedule. All clients enter the court room at the start of the review hearings. Clients in Phases 1 through 3 are required to remain in the room for all status reviews. Clients in Phase 4 may leave after their own reviews. The court reviews an average of fifteen clients each week.

### **Program Structure**

This drug court program consists of four phases, each lasting a minimum of three months. Clients generally complete the program in eighteen months to two years. Clients are required to be in some type of structured living program until they reach

Phase 4. Additional program requirements include twelve-step meeting attendance at least four times per week through the first three phases, obtaining a sponsor, and obtaining a GED for clients without a GED or high school diploma. The drug court team strongly emphasizes clients' need to focus on themselves and their recovery and prohibits clients not in relationships from becoming involved in a relationship for at least one year. The team may prohibit the client from having contact with spouses or significant others who are substance abusers or are non-compliant with drug court program rules. The judge will issue no-contact orders in some cases.

Fraternization between drug court clients of the opposite sex is strictly prohibited. This not only includes developing relationships, but includes such things as talking outside of meetings and giving rides to appointments.

Team members reported differing views on the main reasons for client failure. Some team members believe relationships are the biggest problem, while some others believe clients rebel against the strictness of the program. Others indicate that criminal thinking and not wanting sobriety badly enough are major contributors to client failure.

The 4<sup>th</sup> Judicial District Drug Court holds graduation ceremonies every three months. Formal notices are mailed out to graduating clients. The ceremony is held in an auditorium at a local college and is chaired by a judge. A speaker from the community gives a speech. Past speakers include the mayor, judges, community professionals, task force members, the County Attorney, and a state senator. Clients are expected to dress up and give a brief speech. Staff gives clients a framed diploma and a medallion. A reception follows the ceremony, where cake, punch, and coffee are served. The ceremony is open to all family, friends, and the community. Former drug court graduates are invited and are asked to stand and be acknowledged during the ceremony and receive an ovation. All members of drug court team attend, as does the chief of police and some treatment staff. Current clients are required to attend if able. A team member also takes an "after" photo of the client to be compared to the "before" photos taken when the client entered drug court.

### **Other Programs or Groups Offered**

An alumni group exists, in which all Phase 4 clients are required to participate. Team members indicate that the involvement of graduates is not as strong as they would like it to be. The alumni group plans all drug court social events such as bowling outings, Halloween parties, and annual picnics. They also hold car washes to raise money for these events.

### **Needs and Strengths**

Team members unanimously feel that one of the greatest needs of this drug court is the need for a single dedicated drug court judge who understands addiction and recovery. The team feels the program had a more significant positive effect on

clients in the first three years when there was one judge assigned to the drug court who understood recovery and spent time getting to know each client. Additional needs identified by the team include additional money to serve more offenders, meaningful follow-up after graduation, resources to treat clients with co-occurring substance abuse and mental health disorders, and the ability to understand how methamphetamine addicts think and what would create a desire in them for a substance-free life.

Team members also were unanimous in naming team collaboration as the greatest strength of this program. Team members bring diverse backgrounds and perspectives but all have a solid understanding of addiction and recovery and take a holistic to improving clients' lives. Although the team members have strong personalities and disagreement is common, the process of deciding how to deal with each client is democratic. The team votes when unable to reach a consensus through discussion. The judge also participates in this democratic process but will make a firm decision if the team is split. Another positive aspect of this drug court program is that it affords individuals with substance abuse problems the opportunity to clear their criminal records as well as to develop a clean and sober life, benefiting them and the community.

### **Scott County Intensive Supervision Drug Court**

#### **Date of Inception**

Fall of 2003

#### **Planning Process**

In 2000-2001 the federal government expanded its funding for drug courts. Mike Fitzsimmons (current Scott County Drug Court Officer, who was a community organizer at the time) approached the chief judge about starting a drug court in Scott County. They sought input from the sheriff and county attorney, and agreed to create a bi-state planning commission with officials in the neighboring community of Rock Island, Illinois who also were considering establishing a drug court. The bi-state planning commission reviewed federal funding requirements and found that Iowa did not meet the guidelines for drug court funding. The chief judge of the 7<sup>th</sup> Judicial District agreed to support establishment of the drug court without this federal funding if the court could reach the minority community. Mike Fitzsimmons and a colleague wrote and received a federal Byrne grant to establish the drug court. The chief judge assigned a district court judge to the drug court who, according to drug court staff, was not initially supportive of the drug court concept. However, staff indicate that this judge became convinced of its effectiveness through his involvement with the drug court.

#### **Funding Sources**

The Byrne grant funded the drug court for the first 4 years. The drug court is currently funded, in part, through legislative appropriations to the Department of

Corrections. County and local agencies pay for several team members' time on drug court work. A small award from the local riverboat casino paid for a pupillometer, used as an initial drug screening tool.

### **Catchment Area**

Scott County, Iowa

### **Staff Composition**

Two full-time drug court officers are paid with drug court funds. The drug court team also includes four team members not paid with drug court funds. A private attorney, whose time on drug court is paid by the Public Defender's office, serves as defense attorney, working four to five hours per week on drug court cases. This attorney also provides in-kind services to drug court clients regarding other legal issues such as misdemeanor charges. The County Attorney's Office donates a part time prosecutor to the drug court, who also works four to five hours per week on drug court cases. A treatment liaison employed by the Center for Alcohol and Drug Services (CADS) devotes five hours per week to drug court cases. And, Judge Bobbi Alpers, chief judge of the 7<sup>th</sup> Judicial District, serves the drug court an average of five hours per week.

### **Average Caseload**

The caseload for this drug court averages twenty-five to thirty clients. The drug court officers see clients in most phases two to three times per week. Clients in the highest program phase may see the drug court officer less, but no less than once per week. Both drug court officers get to know all the clients well and work as a team in relation to the clients. Both drug court officers sometimes see a client together and may hold group sessions, seeing three to four clients together. These officers lend complementary backgrounds and strengths to the program and divide responsibilities to clients according to these strengths. One drug court officer conducts intake evaluations and focuses on treatment/recovery issues with clients. The other coordinates community service and provides the monitoring/tracking function for the court.

### **Target Population**

Clients accepted into this drug court program have been in criminal court multiple times and have failed repeatedly in the community. Many have served prison sentences. These clients are offenders the police believe will never succeed in the community. Clients are generally older offenders (over age 28), and many have previously received substance abuse treatment. The program accepts clients with primary alcohol problems, though all also use drugs secondarily. The program does not accept actively violent offenders or those with significant mental health issues. This drug court has accepted clients back into program who have previously failed drug court and have been revoked. Clients served by this drug court would be destined for prison if this program were not available.

### **Main Drugs of Abuse**

There was some discrepancy among team members regarding the most commonly used substances among offenders entering drug court, although several indicated crack cocaine was the most frequently used substance. Alcohol, marijuana, and opiates/heroin were varyingly listed as second and third most common. One team member indicated that prescription drug use appears to be on the rise in new clients.

### **Offender Status**

Offenders must plead guilty to their current charges and are sentenced to drug court. However, some clients are accepted into the program and begin prior to their trial. Upon successful completion of the drug court program, most clients remain on probation with the drug court officers for a period of time determined by their criminal parole/probation requirements. Clients who have paid off their fines and court fees, completed restitution, and obtained a drivers' license may be released upon graduation.

### **Frequency of Staffing and Status Hearings**

Staffings and status review hearings are held weekly. Staffings are held the day prior to the status review hearings in a conference room and hearings are held in the courtroom. All team members attend staffings and status review hearings. The judge and prosecuting attorney periodically have other court obligations that prevent them from attending the entire court session. One of the drug court officers typically leads the status reviews in the judge's absence but all team members provide feedback to the clients during the hearing.

All clients on the drug court caseload are discussed during staffing, though not all undergo status review hearings every week. Clients on Level I of the program appear in court weekly; clients on Levels II and III appear bi-weekly; clients on Level IV appear once every three weeks; and clients on Level V appear once per month. Approximately fifteen clients are reviewed each week. All clients being reviewed enter the courtroom at the start of the hearing and remain in courtroom after their review. Some clients voluntarily attend court sessions every week even if not scheduled for review because they find it beneficial.

### **Program Structure**

This drug court program consists of five levels (called "phases" in most of the other courts reviewed) and takes a minimum of eighteen months to complete. Levels I through IV each have a 90-day minimum, and Level V has a one-hundred eighty-day minimum. Time spent in a jail-based substance abuse treatment program does not count toward these minimums.

Honesty in all aspects of the client's life is heavily emphasized in this program. Clients also are strongly encouraged to establish a solid connection with a 12-step group that may become their "home" group, and with other community recovery resources. To successfully complete the program clients must be involved with a

recovery group, maintain an acceptable residence, and be employed or involved in an educational program full time. The team also encourages church involvement which they indicate is especially helpful to minority clients.

Community service is not a standard requirement for this program. However, a large percentage of clients perform community service in order to work off fines and civil penalties. Community service is occasionally applied as a sanction and is also assigned to clients having difficulty obtaining paid employment.

Contact among drug court clients is encouraged in this program. The team believes clients benefit from the support and experiences of other clients. The female drug court clients have established a particularly solid support system. The team discourages particular client associations that appear detrimental.

Team members reported a variety of reasons for client failure. These include clients being too young and not ready to change, unwillingness to place trust in the program and staff or believe that it can change their lives, inability to maintain lucrative employment, working too many hours and not devoting sufficient time to recovery, and lack of honesty. Continued substance use is not a frequent reason for discharge from the program. Clients who continue using drugs are given many chances and opportunities to try different approaches to achieving sobriety. Clients who commit a felony while in the program are automatically discharged from the program, although this has rarely occurred.

The Scott County Drug Court holds graduation ceremonies two to three times per year. Graduations are held in the courtroom following the status review hearing. Judge Alpers presides over the ceremony from the floor rather than the bench. The judge calls up each graduating client individually and tells the audience and client how the client has grown and changed over the course of the program. The judge presents the client with a certificate after reading the certificate to him/her, and shakes the client's hand. Clients are given an opportunity to make a formal speech or informal comments to the audience, and the audience applauds. Team members and clients hug or shake the client's hand. All team members and all current drug court clients attend, as well as any family and friends the graduating clients wish to invite. Many former clients also attend. After the ceremony, all attendants are invited to remain for refreshments. At the graduation this evaluator attended, pizza, cake, nuts, cookies, and soda were served. A current client made the graduation cake, another client made cookies, and a third client brought bars made by his mother. The pizza was purchased by the judge, and staff paid for the soda. The Scott County Attorney's Office has often covered the cost of refreshments and drug court team members also have occasionally covered these costs.

### **Other Programs or Groups Offered**

There are no formal alumni or family groups associated with this drug court. However, program graduates often serve informally as mentors for clients newly

out of the program. One drug court officer's wife, who is a recovering alcoholic, leads a faith-based women's group that many female drug court clients attend. This group provides guidance and support for many issues, including substance abuse and domestic violence.

### **Needs and Strengths**

Team members reported a variety of needs for this drug court. The need for community-based recovery resources, especially for women, was mentioned most frequently. Other needs identified by team members include increased funding to pay for attorneys' time and equipment upgrades, increased judge and attorney availability to be present for the entire court session, increased consistency with sanctions, an increased percentage of clients who graduate, willingness and capacity of team members to deal with clients' mental health issues, and increased support from the community.

Team members unanimously indicated that the team was this drug court's greatest strength. The judge gives equal consideration to each team member's perspective. The judge indicated that the two drug court officers, who lend different but complementary strengths to the team, are the program's greatest assets. Team members feel that all members work well together and have the ability to disagree respectfully, with all having the best interests of the client as their top priority.

## **II. Satel Criteria**

### **Satel's Criteria and Rationale**

Dr. Satel identified seventeen interactional and environmental variables that characterize drug courts. These variables pertain primarily to what Satel called the "courtroom theater," referring to the manner in which the judge conducts the status review hearings and interacts with participants. The variables and their definitions are listed below along with Dr. Satel's rationale for the use of each variable in describing or evaluating drug court processes.

**Arranged seating:** whether clients or client subgroups waiting to be seen must sit in a specified location in the courtroom.

*Rationale:* Vehicle for setting example.

**Intentional order to cases:** whether clients are seen in a specific, pre-determined order.

*Rationale:* Opportunity to reinforce norms.

**Who judge addresses first:** whether the judge addresses his/her first comments to the client as opposed to the staff, waiting clients or visitors.

*Rationale:* Emphasizes primacy of participant.

**Fixed sanction algorithm:** whether the court applies prescribed, set sanctions for various program violations.

*Rationale:* Aspect of consistency.

**Ambient noise, distractions:** whether noise in or outside the courtroom impedes interaction between the judge and client.

*Rationale:* Impediments to engagement of individuals and community.

**Closeness of client to bench:** physical distance between the judge and the client being reviewed.

*Rationale:* Relevant to intensity of judge – participant exchange.

**Client next to lawyer:** whether the defense attorney is seated next to the client.

*Rationale:* Dilution of judge – participant exchange.

**Judge-to-client eye contact:** level or degree of intensity of eye contact from the judge to the client.

*Rationale:* Intensity of exchange.

**Physical contact from judge to client:** whether the judge makes physical contact with the client, such as handshakes or pats on the back.

*Rationale:* Aspect of exchange.

**Clients remain throughout session:** whether clients remain in the courtroom outside their individual status review.

*Rationale:* Opportunity to educate by example, reinforce norms and solidify group cohesion.

**Judge addresses gallery:** whether the judge makes direct comments to waiting clients and/or visitors.

*Rationale:* Reinforces a sense of court as community.

**Client addresses gallery:** whether the client being reviewed makes direct comments to the waiting clients and/or visitors.

*Rationale:* Reinforces community.

**Microphone used:** whether a microphone is provided for the client to speak into.

*Rationale:* Emphasizes primacy of participant (client).

(Note: While Satel indicated that the availability of a microphone for client use emphasizes the primacy of the client, it is included in the community reinforcement table below because the microphone allows the client to be heard by the gallery.)

**Frequency of court sessions:** the interval at which status review hearings occur.

*Rationale:* Opportunity to develop relationship.

**Time spent with client:** the average length of time the judge spends with each client in status review.

*Rationale:* Level of engagement, opportunity to develop relationship.

**Review on short notice:** whether the court provides unscheduled status reviews on short notice in response to client relapse or other emergency.

*Rationale:* Capacity for immediate response; emphasizes a sense of judicial watchfulness.

**Outside contact:** whether the judge has contact with clients outside of status review hearings.

*Rationale:* Level of engagement.

### Summary of Iowa Drug Courts by Criteria/Variable

Tables 2 through 5 summarize the courts reviewed in this study according to Satel’s variables, based on the evaluator’s single-session observations. Where activities or events in the courtroom varied from what the evaluator expected or observed in other similar courts, the evaluator made efforts to confirm whether those activities were typical of that particular court. Information provided in this section includes one-time observations and, where possible, information provided by team members regarding standard practices for that court. However, it should be noted that some observations recorded here may not reflect the typical atmosphere or activity of the courts.

**Table 2. Structure of Courtroom Theater**

Variable	Drug Court						
	Panel Model			Judge Model			
	Cerro Gordo	Marshall (panel and judge)	Wood-bury	Polk – Adult	Polk – Juvenile	4 <sup>th</sup> Judicial District	Scott
Arranged seating	Y	Y	Y	N	N	Y	Y
Order to cases	N	Y	Y	Y	Y	Y	Y
Who judge/panel addresses first	C	C	C	C/T	C	C	C/G
Fixed sanction algorithm	N	N	N	N	N	N	N
Ambient noise, distractions	N	Y	Y	Y	Y	Y	Y
KEY							
C = client				Y = yes			
G = gallery (waiting clients and visitors)				N = no			
T = team				NA = not applicable			
W = waiting clients							

**Table 3. Judge-Client Interaction**

Variable	Drug Court							
	Panel Model				Judge Model			
	Cerro Gordo	Marshall		Wood-bury	Polk – Adult	Polk – Juvenile	4 <sup>th</sup> Judicial District	Scott
		Panel	Judge (Juv.)					
Closeness to bench	72"	48"	42–60"	72"	176"	66"	120"	122"
Client next to lawyer	NA	NA	NA	NA	Y	N	Y	Y
Judge/panel-to-client eye contact	A	A	S	A	A	A	A	M
Physical contact from judge/panel to client	Y	Y	N	N	N	Y	Y	N
KEY								
M = minimal				Y = yes				
A = conversationally appropriate				N = no				
S = sustained				NA = not applicable				

Table 4 lists two keys for two of the criteria for the Woodbury County court. The first key pertains to panel sessions as this court has historically conducted them. The second key refers to the pilot group panel sessions the court holds once per month.

**Table 4. Involvement of Client Group/Reinforcing a Sense of Community**

Variable	Drug Court							
	Panel Model				Judge Model			
	Cerro Gordo	Marshall		Wood-bury	Polk – Adult	Polk – Juvenile	4 <sup>th</sup> Judicial District	Scott
		Panel	Judge (Juv.)					
Clients remain throughout session	N	N	Y	N/P	Y	P	Y	Y
Judge/panel addresses gallery	NA	NA	NA	N/Y	Y	N	N	Y
Client addresses gallery	NA	NA	NA	N	N	N	N	Y
Microphone used	N	N	N	Y	N	N	N	N
KEY								
Y = yes				P = clients remain for part of session				
N = no				NA = not applicable				

**Table 5. Degree of Client-Court Involvement/Accessibility of Court**

Variable	Drug Court							
	Panel Model				Judge Model			
	Cerro Gordo	Marshall		Woodbury	Polk – Adult	Polk – Juvenile	4 <sup>th</sup> Judicial District	Scott
		Panel	Judge (Juv.)					
Frequency of court sessions	W	W	B	W	W	W	W	W
Time spent with client (average/range) in minutes	12 8 – 16	11 5 – 20	3 2 – 4	8 5 – 21	8 3 – 15	5 3 – 12	4 2 – 7	7 2 – 32
Review on short notice	Y	N	N	Y	Y	Y	Y	Y
Outside contact by judge/panel	N	Y	Y	N	Y	N	N	N
KEY				Y = yes				
W = weekly				N = no				
B = bi-weekly				NA = not applicable				

The following narrative provides supplemental information about court activities outlined in Tables 2 through 5. Information about individual courts is provided where further explanation is needed to highlight differences between courts.

**Arranged seating**

Diagrams of each courtroom and locations of clients, team members, and observers are included in the appendix.

The Marshall and Cerro Gordo County drug courts hold status review hearings in conference rooms rather than courtrooms. The client currently undergoing review is the only client in the room in all three panel model courts, with the exception of the monthly group panel at the Woodbury County court. Waiting clients who arrive before their review are seated outside the conference room. Panel members and the drug court officer are the only team members present during the hearings in Marshall County. The treatment liaison and mentoring coordinator are present at hearings in Cerro Gordo County. The treatment liaison sits behind clients and does not speak unless the panel specifically asks for her input, but is positioned such that she can provide non-verbal input to the panelists, such as if the panelists are questioning a client’s honesty. All members of the drug court team, including trackers, are present in the group panel reviews in Woodbury County. In the juvenile panel session, waiting clients sit in a row of chairs in the main court area. In the adult reviews, waiting clients sit in the gallery. Clients undergoing review by the Marshall County juvenile court judge stand in front of the judge’s bench. Clients waiting to be seen sit in chairs inside the main court area.

The Polk County Juvenile Drug Court is held in a small courtroom that becomes crowded during hearings. Clients undergoing review stand in front of the judge’s

bench. A few seats are available for waiting clients and family members, but most attendants stand along the walls or anywhere they can find room in the courtroom.

Waiting clients in the Polk County Adult Drug Court are free to sit in the gallery area or in the jury box. During the court session that this evaluator observed, most female clients sat in the jury box and most male clients sat in the gallery area.

In the judge model courts, clients currently in jail are brought in through a side door by a sheriff's deputy and sit apart from other clients, often in the main court area.

### **Order to cases**

In the Marshall County drug court, the order of cases seen by panels is based on clients' work schedules and other personal considerations, such as transportation availability or the need to be home early to put young kids to bed. The team tries to keep each client review times the same every week to lessen the chaos in clients' lives. For juvenile status hearings with the judge, the drug court officer generally sets the order but the judge prefers clients being sanctioned to appear in the middle in order to give them time to think before the judge talks to them and to give them time to cool off before leaving.

In the Woodbury County Drug Court group panel review, clients doing well are reviewed first so they can leave early which functions as an incentive and reward. Clients being sent to jail or detention are also reviewed early in the session. This provides a learning opportunity regarding violation penalties for waiting clients and an additional consequence for the sanctioned client, as he/she is taken out of the courtroom in handcuffs by the sheriff in front of his/her peers.

The Pottawattamie drug court generally reviews clients in descending order of program phases. However, when the judge's time in the courtroom is limited, clients who most need to see the judge are reviewed when the judge is present. This usually includes clients for whom the team recommends jail time and clients being released from jail.

The Polk County Juvenile Drug Court judge sees graduating clients, clients being sent to detention, and clients being discharged from the program first. As in the Woodbury County Drug Court, this is done for incentive/reward and teaching purposes.

The order of cases in the Polk County Adult Drug Court varies according to the availability of the judge. The judge was not present at the start of the hearing this evaluator observed, so the team first reviewed clients in the highest program phase who were doing well. When the judge arrived, he began with clients slated to receive disciplinary action. When the judge is present for the entire hearings, clients are typically seen in the following order: Phase 5, Phase 4, Phase 1, Phase 2, Phase 3.

The Scott County Drug Court often reviews clients who may be sent to jail first. The subsequent order varies. When the judge finished reviewing those clients in the session this evaluator observed, she commented that they had spent one and one-half hours on negative things so she next wanted to review clients who were ready to advance to the next program phase.

### **Who judge addresses first**

With few exceptions, judges and panels addressed clients being reviewed first before speaking with team members or waiting clients. The judge in the Polk County Adult Court occasionally asked a team member a specific question about the client before speaking directly to the client. In this court, the Drug Court Officer and the TASC Officer made announcements to the entire client group during the court session. The judge in the Scott County Drug Court occasionally addresses her first comments to the gallery of waiting clients.

### **Fixed sanction algorithm**

The drug courts reviewed in this study do not use rigidly fixed sanction algorithms, although several courts use standard sanctions for some violations. In each court, the need for structure and consistency is balanced with consideration for the client's individual situation and needs. Support for this approach is provided by Bonta (1995) and Fretz (2007), who wrote that "effective correctional programs match the delivery of services to the abilities and different learning styles of the offenders." (p. 66). (See the "Overview of Drug Courts" in Section 1 for additional information on the use of sanctions in each court.)

### **Ambient noise, distractions**

The Marshall County drug court holds two separate panel review sessions simultaneously, separated by a collapsible partition. Voices and laughter can be heard through the partition, although clients and team members did not appear to notice. The Pottawattamie County proceedings were interrupted briefly when a criminal court staff person entered the courtroom to ask the prosecuting attorney a question. The defense attorney and case managers in the Polk County Juvenile Drug Court frequently leave and re-enter the room during the status review hearings to speak with clients after their reviews. This was distracting for the observer, but clients and family members did not appear to notice. One client spoke loudly to another during the hearing and was told by the defense attorney to be quiet. A parent's cell phone rang and the parent shut the phone off but none of the team members appeared to notice this. It appears from these observations that noise and distractions are somewhat commonplace and that participants have become accustomed to them. The defense attorney in the Polk County Adult Drug Court frequently takes clients out of the courtroom during hearings to speak with them which creates distractions. At one point in the hearing, the defense attorney spoke with a waiting client in the courtroom which interrupted the court proceedings. The prosecuting attorney, who was addressing the client being reviewed, paused to ask the defense attorney if he was finished speaking with the waiting client. Mild distractions occur in the Scott County court when waiting clients leave and enter the courtroom.

### **Closeness to bench**

Clients in panel model courts sit across the table from the panelists, whether in a conference room or a courtroom. Clients in the 4<sup>th</sup> Judicial District sit directly facing the judge's bench. Clients in the Scott and Polk adult drug courts sit across a table from team members and turn to face the judge. Clients stand in front of the judge's bench in juvenile judge reviews in Marshall and Polk Counties. There is some variance in how closely clients stand to the bench clients in the Marshall County drug court. The Polk County courtroom is small enough that there is little room for variance.

### **Client next to lawyer**

Lawyers are not present in panel model status review hearings. The client generally sits next to the public defender in the judge model courts. The Polk County Juvenile Drug Court defense attorney stands next to the judge's bench for most reviews so she can receive documents from the judge after each client is reviewed. In the hearing this evaluator observed, the defense attorney left the bench and stood beside a client whom the judge was confronting about continued substance use. Otherwise, case managers usually stand beside the clients as do clients' parents, if present.

### **Judge-to-client eye contact**

In most cases the judge made direct but conversationally appropriate eye contact with clients when not looking down to read notes or legal papers. The Scott County drug court judge made eye contact with the gallery much more frequently than other judges when addressing the client. While she made direct eye contact with the client when appropriate, this judge appeared to be sending the message that her words should be heeded by all clients present.

### **Physical contact from judge to client**

Physical contact between judge or panelists and clients varies considerably across courts. Physical contact during status review hearings appears to be more common in panel model courts than in judge model courts. Some panel members in Marshall County give "high fives" to clients for significant positive accomplishments. In Cerro Gordo County, panel members shake clients' hands and pat them on the shoulder for significant positive accomplishments. The only physical contact this evaluator observed in the Woodbury County court was initiated by a graduating client in an adult panel review session. At the end of his review, the client went around the table and shook hands with each panelist. Other graduating clients did not shake hands with the panelists. A juvenile drug court officer shared that handshakes and hugs occur more frequently when juvenile clients graduate.

Physical contact in the judge model courts likely varies according to the individual judge's personality, and this aspect may change in a single court over time with a change in presiding judge. Each client in the Pottawattamie drug court shakes the judge's hand at the beginning and end of his or her review, or shakes the drug

court coordinator's hand if the judge is not present. The Polk County Juvenile Court judge shook hands with a client who was advancing to the highest phase of the program. The Marshall County juvenile judge did not make physical contact with clients but held out a cup containing suckers for each client to take one at the end of his/her review.

### **Clients remain throughout session**

As mentioned above, the Cerro Gordo and Marshall County panel review hearings are individual hearings and waiting clients are not present in the room during reviews. Juvenile clients in the Marshall County court remain in the courtroom for the entire hearing during bi-weekly judge reviews. Most status review hearings in the Woodbury County drug court are also conducted individually. At the time of this evaluation, this court was piloting a group review process one night per month in which all clients are present at the start of the session and leave when their review is completed.

In Pottawattamie County Clients in Phase 4 are rewarded with early reviews and are allowed to leave when their review is finished. Clients in lower phases are required to remain for the entire hearing. Clients in the Polk County Juvenile Drug Court enter the courtroom at the start of the hearing but may leave when their review is completed. Clients in the Polk and Scott County Adult Drug Courts remain throughout the hearing.

### **Judge addresses gallery**

During the Scott County drug court hearing this evaluator observed, the judge opened the hearing by reading the obituary of a former drug court client who had died through an alleged homicide. The judge encouraged all clients present to consider the direction their own lives were taking.

The judge in the Polk County Adult Drug Court infrequently addressed comments to the gallery, and team members did so frequently. A panel member in the Woodbury County court addressed one comment to the gallery in the group review hearing. The team in the Woodbury County court encourages everyone in the status review hearings, including clients' significant others, to provide input about the client undergoing review. This is to give a truer and more complete picture of the client's current situation and frame of mind.

### **Client addresses gallery**

A client in the Scott County drug court hearing addressed a comment to one client in the gallery. The comment was of a friendly, joking nature related to progress both clients had made at the residential facility where they reside.

### **Microphone used**

Most drug courts observed did not have a live microphone available for client use. A microphone was present but not turned on in most courtrooms. The Woodbury County court provides a live microphone at the client table; however, the

microphone was not placed sufficiently near the client to be of use in the session this evaluator observed.

It is this evaluator's impression that the use of microphones in drug courts holding hearings in courtrooms would aid the gallery in hearing the proceedings. The judge in the Polk County Adult Drug Court asked two newer clients to speak louder so all attending could hear, explaining that everyone can benefit from hearing each others' comments.

### **Frequency of court sessions**

All drug courts reviewed for this study conduct status review hearings weekly. However, the frequency with which each client undergoes status review varies by program. (See Section 1 for details.)

### **Time spent with client**

As can be seen in Table 5, the time each drug court spends reviewing each client varies across courts. The time also varies depending on individual client situations. Courts generally spend more time with clients who are struggling in the program. In the Woodbury County hearing this evaluator observed, reviews with juvenile clients averaged 14 minutes, while reviews with adult clients averaged 7 minutes.

### **Review on short notice**

All drug courts in this study provide reviews on short notice in the case of client relapse or other significant problem. This usually involves clients appearing at the next status review hearing. Many programs have a "Zero Tolerance" condition for clients with repeated program violations, where these clients will go immediately to jail until they can be seen by a judge. Review hearings on short notice generally are not needed in Marshall County since all clients see panels every week. However, the drug court officer will contact a client's home panel or judge in urgent situations if a major decision is needed on short notice.

### **Outside contact**

Judges and panel members generally do not have regular contact with clients outside of court hearings in most of the drug courts reviewed. However, most panelists and judges indicated that they will acknowledge clients when they see clients in public, if the client appears to welcome that acknowledgement. One panelist in Marshall County owns a local store and has an open door policy for clients, and will have coffee with clients occasionally. The juvenile judge in Marshall County will see clients outside of court in special circumstances. For example, the judge went to a local skate park to watch a client skateboard upon the client's request.

All Phase 5 clients in the Polk County Adult Drug Court are required to make a personal contact with one team member once a week outside of court and clients may not contact the same team member two weeks in a row. The judge is one team member clients are to contact. Judge Pille, who was serving the court at the

time of this evaluation, also occasionally initiates contacts with clients. An example of this is when a client submitted a long written essay to the court and Judge Pille did not have time to read the essay during the status review hearing. The judge later read the essay and called the client at home to praise him for the essay. Judge Pille also visits halfway houses to see clients' living situations first hand and attends Alumni Group functions.

### **Comments on the General Atmosphere of the Courtrooms**

It should be noted that despite the somewhat casual atmosphere of some courts described here, clients in all courts appeared to respect the authority of the panel and judge as demonstrated by consistently attending status review hearings, listening intently to feedback from the panel or judge, and accepting sanctions without argument or non-verbal indications of anger or frustration.

The atmosphere in the Cerro Gordo and Marshall County drug courts seemed somewhat relaxed and friendly. The panel members frequently provided applause, smiles, and verbal praise in response to client progress, and shook hands and hugged graduating clients. Team members and clients in Marshall County occasionally laughed and kidded each other. One panelist in the Cerro Gordo County court session gave a client a 'high 5' when the client announced he had gotten a job. The evaluator interviewed Judge Drew, who sees drug court clients when panels refer them to a judge. Judge Drew's guiding philosophy is helping clients gain control over their addiction. He sees his role as the hammer – that clients know they have seriously messed up when they are sent to him – but he also wants clients to know that he cares about them and wants them to succeed. He indicated that his approach to drug court clients differs from that of criminal court clients in that he is more tolerant of program violations and gives them more chances to remain in the community.

The atmosphere of the Woodbury County Drug Court panel hearings seemed more solemn, serious, and formal than in the other panel courts and most of the judge model courts. This was particularly true for the adult review session this evaluator observed. The evaluator did not observe the friendly teasing and joking here that she saw in the other courts. Panelists rarely smiled, even when giving verbal praise to clients doing well. The team did not applaud or shake hands with the first graduating client, which appeared to be the norm. The district court administrator who was visiting the court that evening initiated applause for subsequent graduates, and team members joined in the applause. This evaluator suggests that this drug court team consider increasing its use of praise and encouragement and make changes to graduation procedures that would further emphasize the significant accomplishment graduating clients have achieved.

This evaluator also observed a judge-led review of a client whom the panel recommended a short jail term. Judge Ackerman is assigned to review drug court clients and presided over this hearing. The judge initially was firm in questioning the client and telling him the seriousness of the charges and his current status in

the drug court program. However, the judge demonstrated care and concern when giving the client feedback about the importance of being honest for his recovery and told the client he and the team are there to help him. Judge Ackerman's guiding philosophy for the drug court is to encourage people to get control of their substance abuse problems. He indicated that clients need to work with the team and want to change but that the team will do all it can to help the client succeed. He indicated that his approach to drug court clients differs from his approach to criminal court clients in that he is more encouraging and somewhat less formal with drug court clients.

The beginning of the Polk County Adult Drug Court hearing appeared disorganized the day this evaluator visited the court. Judge Pille was unavailable for the hearing and Judge Hutchison, the judge assigned to fill in, was late due to other court commitments. The team was initially unclear who would lead the reviews until the judge arrived. The prosecuting attorney indicated she did not want to lead the reviews, so the drug court coordinator agreed to lead. The hearing flowed smoothly once the reviews started and it was evident that the team had established a regular routine for reviews. The team's approach to clients in this drug court hearing seemed the most therapy-oriented of all the courts reviewed. All team members gave feedback to each client being reviewed. The prosecuting attorney conducted what may be considered a therapeutic intervention by telling a client to write down everything staff at Bernie Lorenz tell her to do and not do, sharing her concern about the client's ability to process information. The judge and team members frequently asked clients to share how they perceived feedback the team had just given them, and worked to make sure the clients understood what the team said to them. They also engaged clients in step-by-step reviews of things that previously happened to them and told waiting clients to pay attention so they could learn from that client's experience. The atmosphere in the court also appeared casual and lighthearted. Team members and clients ate snacks during the hearing. Clients undergoing review occasionally made humorous comments and the judge made a teasing comment about the drug court officer. Staff and clients laughed readily at these comments. It appeared that there was a sense of camaraderie between the team and clients and among clients themselves. The evaluator did not interview Judge Hutchison but did interview Judge Pille, the judge assigned to the drug court at the time of this review. Judge Pille's guiding philosophy for the drug court is to be positive with clients, encourage them in their recovery efforts, and to show them that all team members care about them while holding them accountable for their actions. It was this evaluator's impression, based on his behavior toward the clients, that Judge Hutchison shares this philosophy. Judge Pille strongly supports the team concept and sees his role on the team as a chairperson rather than the director of the court.

The general atmosphere of the Polk County Juvenile Drug Court was somewhat tense and rushed as there were many clients to be reviewed. The activity level was high. Team members and the judge frequently exchanged papers needing to be signed: attorneys and case managers frequently left and re-entered the room to speak with clients after their reviews. The courtroom is small and was crowded,

with many waiting clients and family members struggling to find places to stand that were out of others' way. The general demeanor of the team was formal, with prosecuting and defense attorneys using formal courtroom language such as, "If it please the court..." which was not observed in the other drug courts. However, both attorneys used a lighthearted, friendly or humorous manner on one or two occasions when making directive statements to clients. The judge's demeanor appeared firm, yet caring. She demonstrated caring by ensuring that all perspectives to client situations and all available resources for assisting clients were considered. Judge Fultz' guiding philosophy for this drug court involves a holistic framework for helping clients lead sober, productive lives. This framework includes treating the entire family and addressing all areas of clients' lives.

The atmosphere of the 4<sup>th</sup> Judicial District drug court hearing appeared somewhat formal, but team members and clients occasionally teased and joked with each other, with the gallery joining with laughter. All team members including the presiding judge demonstrated caring and concern for the clients through expressions of empathy and verbal statements of caring. The judge presiding when the evaluator visited the court thanked each client for being there and wished him/her luck at the end of the review. The team provided frequent verbal encouragement but limited praise to clients. All persons present applauded when a client announced his 6 month sobriety anniversary. The judge was present for only part of the hearing and the drug court coordinator led the remaining reviews. It is this evaluator's impression that the judge is often absent for significant portions of the hearing and that the coordinator and team handle a large percentage of client reviews. The evaluator did not observe any notable differences between clients' reactions to the coordinator-led reviews and their reactions to judge-led reviews. Clients listened attentively to the judge and the coordinator and appeared to accept feedback from both without resistance. The evaluator did not interview the judge for this court as judges rotate monthly and are often only present to review jailed clients.

The atmosphere of the Scott County Drug Court is open, flexible and participatory. The judge asks individual team members if they have feedback to give clients and asks for team members' recommendations for sanctions. One event that the evaluator did not observe in other courts was that the drug court officer placed on the table in front of him two vials of UA samples that tested positive for drugs. The intent of this appeared to be reducing the likelihood that the clients who tested positive would lie to the court. All clients remain for all status reviews but are allowed to leave and re-enter the courtroom. One client's cell phone rang and he left the courtroom, returning a short time later. However, there is a clear sense of community among clients and team members and many waiting clients appear to be actively engaged in the proceedings. The use of a microphone may help increase the engagement of some members of the gallery who may not be able to hear the client clearly. The judge and clients being reviewed made comments to the gallery, and the gallery often reacted aloud to comments made by team members and clients being reviewed. For example, a client to whom the judge ordered a week's stay in jail stated he preferred being revoked because a week in

jail would cost him his job. Several clients in the gallery gasped in response to this and one exclaimed, "What are you doing!?" The atmosphere in this court is lighthearted at times. The judge occasionally joked with clients, and they joked back. However, Judge Alpers is also quite firm when needed and clients demonstrate respect for the judge's opinion. For instance, one client hung his head when the judge told him she was at the end of her rope with him. The judge also demonstrates caring and respect for the clients, making encouraging comments even to a client who was being revoked. One client whom the prosecuting attorney was confronting looked at the judge repeatedly in frustration, as if for support. It was the evaluator's impression that the client believed the judge would provide a fair solution in this situation. The judge, staff, and gallery provide frequent support and encouragement to clients undergoing review. All applauded frequently in the hearing this evaluator observed, such as when clients advanced to the next level, were released from jail, obtained a drivers' license, and when announcing the birth of a grandchild. Judge Alpers' guiding philosophy is that the drug court should instill in each client the tools and ability to become and remain sober. She sees her role as being a good listener and tailoring rewards and punishments to fit the individual.

### **III. 10 Key Components of Drug Courts**

In 1996, the National Association of Drug Court Professionals (NADCP) convened a committee of drug court professionals and representatives from the Drug Courts Program Office, Office of Justice Programs, U.S. Department of Justice to define best practices and principles of effective drug courts. This effort resulted in the identification of 10 key components that define well-functioning adult drug courts. These components and benchmarks are outlined in the publication, *Defining Drug Courts: The Key Components* (U.S. Department of Justice, 1997). This document is reprinted on the National Association of Drug Court Professionals' website: <http://www.nadcp.org/whatis/> via the "Defining Drug Courts: 10 Key Components" link. Marilyn McCoy Roberts, Director of the Drug Courts Program Office, writes in the preface to that publication that "the committee intends for the benchmarks presented in this publication to be inspirational, describing the very best practices, designs, and operations of drug courts for adults with alcohol and other drug problems. The committee recognizes that juveniles present different legal, social, educational, and treatment issues....The committee also acknowledges that local resources, political, and operational issues will not permit every local adult drug court to adopt all aspects of the guidelines." (p. 3).

This section of the report lists the key components and describes how each drug court reviewed in this study matches those components and benchmarks.

## **Key Component #1**

### **Drug courts integrate alcohol and other drug treatment services with justice system case processing.**

Participation in some modality of substance abuse treatment is a requirement for clients in all the drug court programs evaluated in this study, unless the client has completed treatment immediately prior to entering drug court. Each drug court has mechanisms in place to evaluate clients to identify the level of substance abuse treatment needed. All clients are required to become involved with ongoing recovery support resources.

#### **Cerro Gordo County Community Drug Court**

The Cerro Gordo County drug court has a close collaborative relationship with all components of the traditional criminal court and with the local substance abuse treatment agency. All drug court participants undergo an evaluation to determine their level of treatment need; all participate in some modality of substance abuse treatment and remain in treatment in some form throughout the drug court program and after graduation. The Department of Corrections contracts with the treatment agency to provide assessment, treatment, and case coordination services to drug court clients. Final decisions regarding course of treatment for clients are jointly made by the treatment liaison and the drug court officer. Treatment participation and progress are key factors in determining sanctions and rewards instituted by the panel and progression through drug court program phases.

The treatment agency's Criminal Conduct and Substance Abuse Outpatient Counselor coordinates the drug court caseload and acts as liaison with the drug court. The liaison provides client updates to the drug court officer and attends client staffings and panel reviews every other week.

#### **Marshall County Community Drug Court**

This drug court has a solid and close collaborative relationship with the local substance abuse treatment provider, the Substance Abuse Treatment Unit of Central Iowa (SATUCI). The court virtually always accepts the treatment agency's evaluation results and treatment recommendations. If drug court staff questions a recommendation, the drug court officer and treatment staff discuss their perspectives on the case and reach consensus. A staff person from the treatment agency meets weekly with drug court officers to discuss client progress. Treatment staff persons attend drug court staffings upon request. SATUCI's Director of Professional Services is part of the presentation team at panel volunteer trainings.

Access to treatment is a strength of this court. The local agency provides a variety of services and clients are rarely placed on waiting lists. Clients are required to pay a small amount of their treatment costs, which benefits the agency and increases accountability on the part of the client.

**Woodbury**

The Woodbury County drug court has close working relationships with the local public and private substance abuse treatment providers, Jackson Recovery and Mercy Behavioral Care. Treatment counselors at those agencies conduct substance abuse evaluations on the drug court clients. Drug court staff indicated that at times juvenile evaluations and recommendations do not seem sufficiently individualized and expressed concerns that juveniles with different treatment needs are treated together. However, the court accepts the treatment agency's recommendations with very few exceptions. The agencies give juvenile drug court clients priority on waiting lists. The agency provides drug court team members with written client progress reports once per month and drug court officers hold phone conferences with treatment staff to receive interim updates at least twice per month.

**Polk County Adult**

This drug court program is well integrated with the local and regional substance abuse treatment system. All Polk County Drug Court clients participate in treatment and aftercare. One full time and one part time substance abuse TASC Officers/Treatment Liaisons coordinate treatment services and provide case management for drug court clients. These liaisons are counselors/case managers employed by a local treatment provider, Employee and Family Resources. The liaisons evaluate non-jailed clients for level of treatment needed and discuss treatment recommendations with the rest of the drug court team. A Department of Corrections TASC Officer conducts substance abuse evaluations on jailed offenders. The treatment liaisons refer clients to appropriate treatment agencies and programs, communicate with treatment agencies and monitor client progress. If clients appear to need a change in treatment program, the liaison provides recommendations and a team decision is made. Other members of the team also have open, frequent communications with all treatment agencies. Team members report that communication with the vast majority of service providers is excellent. A case manager from The Beacon of Life women's shelter attends part of the staffing during which clients from that program are discussed. The team periodically invites staff from other treatment agencies to attend staffing and discuss cases.

Once clients have completed treatment they meet regularly with the treatment liaisons for the duration of their involvement in drug court. Generally, Phase 1 clients meet with the liaison weekly, Phase 2 clients meet every two weeks, and so on. However, the liaisons will provide more frequent contact with clients if needed.

**Polk County Juvenile**

All clients referred to the Polk County Juvenile drug court program undergo a substance abuse evaluation conducted by a designated assessment counselor at Employee and Family Resources. Clients admitted to this drug court enter outpatient treatment at a minimum. Many clients are referred to a more structured or intensive treatment modality. In some cases where there are long waiting lists or the family is unable to pay for treatment, the drug court judge must adjudicate

clients delinquent in order for them to receive needed treatment. This is problematic for clients who would otherwise not have this status on their legal record. It is also problematic for the drug court program, as it substantially increases their cost per client.

Staff persons from area substance abuse treatment agencies attend staffings every week to provide client progress reports. Therapists from Children and Families of Iowa and Employee and Family Resources were present the day this evaluator attended the staffing. Treatment counselors notify the drug court team if a client misses treatment or tests positive for drugs or alcohol. Drug court officers and treatment counselors call each other on a regular basis when they have questions about a client or significant updates to report.

#### **4<sup>th</sup> Judicial District**

Clients are required to be involved in some modality of treatment throughout this drug court program. Virtually all clients initially enter residential treatment unless they had completed a residential program prior to entering the drug court program. This drug court uses the following agencies for residential treatment: Zion Recovery Services in Clarinda, Community and Family Resources in Ft. Dodge, Synergy Center in Cherokee, and the Iowa Residential Treatment Center in Mount Pleasant. These agencies often have waiting lists. The court holds many clients needing residential treatment in jail until a treatment bed opens to prevent them from using drugs and dropping out of the program. The 4<sup>th</sup> Judicial District Drug Court employs a full-time TASC Officer who coordinates substance abuse treatment for the drug court clients. The TASC Officer conducts the substance abuse evaluations on new drug court clients to determine the level of treatment needed, refers clients to the appropriate treatment program and obtains regular progress reports from treatment staff. A staff person from the local outpatient substance abuse and mental health treatment agency, Heartland Family Services, also participates in weekly staffings and attends drug court hearings. However, team members indicate that communication from Heartland staff to the drug court team is problematic. Communication on clients' treatment progress is minimal and inconsistent. In more than one case, it was reported that drug court staff referred clients for services or programs but agency staff told the clients upon arrival that those programs are no longer offered. Team members indicate that staff at the residential agencies rarely provides information to the drug court other than client admission and discharge dates.

#### **Scott County**

All Scott County Drug Court clients are required to participate in some level of treatment and clients must have completed or be near completion of their treatment program to progress to the highest program level. A staff person from the Center for Alcohol and Drug Services is a member of the drug court team and provides regular client progress reports to the team. Drug court officers meet weekly with clients and staff at the Salvation Army and monitor treatment progress of clients in other agencies through regular contacts with providers. A drug court

officer provides team members with written client progress summaries each week during staffing.

## **Key Component #2**

**Using a non-adversarial approach, prosecution and defense counsel promote public safety while protecting participants' due process rights.**

Prosecuting and defense attorneys do not participate in staffings or status review hearings in panel model drug courts. However, they do become involved with drug court clients at particular stages of the legal process which varies across drug courts, as outlined below. In most drug courts, the local county attorney was actively involved in determining the dispositional model (e.g. pre-plea, post-conviction, deferred prosecution) and target population for the drug court.

### **Panel Model Courts**

#### **Cerro Gordo**

While there is no direct participation by prosecution or defense counsel in status review hearings in the panel model, the Cerro Gordo drug court team maintains close communication and case coordination with the county attorney's and public defender's offices. The Cerro Gordo County Attorney and Chief Public Defender were actively involved in the planning process and the Oversight Committee for this drug court.

There are no specific public defenders or prosecuting attorneys designated to represent drug court clients. Public defenders, prosecutors and private attorneys may become involved at various stages of the process. They may be involved at the point of initial referral during sentencing when the pre-sentence investigator recommends drug court or the attorneys may themselves refer clients to drug court. The attorneys may become involved when convicted criminal offenders violate their probation and are referred to drug court, or when the drug court panel recommends revocation.

#### **Marshall County Drug Court**

Marshall County drug court team members report a spirit of collaboration and mutual respect between the drug court and the criminal court, with well-defined lines and roles. Two assistant county attorneys, the lead public defender for Marshall County, and an attorney in private practice who accepts court-appointed cases serve on this drug court's Oversight Committee.

Prosecutors and defense attorneys become involved with potential drug court clients prior to their referral to drug court. Two prosecuting attorneys handle drug cases in Marshall County and by default handle nearly all potential drug court cases. The criminal court appoints defense counsel in most cases, so several public defenders may represent potential drug court clients. The local defense attorneys are familiar with the drug court program and often negotiate plea deals with prosecutors to get offenders into drug court. The drug court typically does not

consider cases unless the prosecutor and defense counsel agree that the offender should be referred to drug court. However, drug court staff may intervene to broker an agreement if one side is not fully in support. When a panel refers a client back to criminal court, the public defender who was involved with the offender prior to drug court often represents the client, though occasionally the court appoints another defender. The attorney who originally prosecuted the case generally becomes re-involved with the offender at that point as well.

### **Woodbury**

The drug court and criminal court also work collaboratively in Woodbury County. The county attorney and criminal court are involved with the adult clients prior to their start in the drug court program, and have determined the drug court to be in the best interests of both the client and the community. Defense counsel and prosecutors do not become involved in drug court cases again unless the panel recommends the client return to criminal court for a review of probation or for revocation. Panels often refer clients back to the judge who oversees the drug court for an informal hearing in effort to motivate the client to make positive changes. Prosecuting and defense attorneys are not involved in these hearings.

### **Judge Model Courts**

Staff in the judge model courts indicated that the defense attorney's goal is not to seek the best deal for the client but to seek what is best for the client. The NADCP supports this approach. The preface to *Defining Drug Courts: The Key Components* states: "To facilitate an individual's progress in treatment, the prosecutor and defense council must shed their traditional adversarial courtroom relationship and work together as a team." (Department of Justice, 1997, p.3) This evaluator observed that the attorneys in all the judge model courts worked collaboratively as a team with each other and with the remaining drug court team members.

### **Polk County Adult**

The defense and prosecuting attorneys are members of the drug court team and demonstrate a respectful, collaborative relationship during staffings and status review hearings. While fulfilling their respective roles regarding protection of the clients' rights and ensuring public safety, both attorneys take a therapeutic approach to clients, confronting negative behaviors and encouraging positive behaviors. The attorneys may even reverse roles at times: the drug court coordinator noted that the defense attorney occasionally will advocate for jail time for a client, with the prosecutor disagreeing.

### **Polk County Juvenile**

The defense and prosecuting attorneys are members of the drug court team. They demonstrated a close collaborative relationship during staffings but fulfilled their respective roles in status review hearings. The attorneys played their roles more traditionally in this court than did the attorneys in the other drug courts observed. The prosecutor advocated for community safety while the defender advocated consistently for the clients' rights and asked the team to give clients the benefit of

the doubt in ambiguous cases. However, it was evident to this evaluator that both attorneys, as well as the remaining team members, have the best interests of the client in mind. They provide support and encouragement to clients as well as feedback regarding behaviors that may be detrimental to their recovery.

#### **4<sup>th</sup> Judicial District**

The defense and prosecuting attorneys are members of the drug court team and demonstrate a collaborative relationship. These attorneys fulfill their respective roles during status review hearings but both also confront clients on negative behaviors and make supportive statements to encourage clients' positive behaviors.

#### **Scott County**

The defense and prosecuting attorneys demonstrate a collaborative relationship during staffings and status review hearings. While fulfilling their respective roles toward protecting the clients' rights and ensuring public safety, both attorneys take a therapeutic approach to clients in confronting negative behaviors and encouraging positive behaviors. In situations where the team and judge recommend a client's probation or parole be revoked and the client contests this decision, the judge will assign a different defense attorney to represent the client. The court considers the public defender's role on the drug court team a conflict of interest and the defense attorney indicated that clients may not have full confidence that his representation is unbiased by his involvement on the team.

#### **Key Component #3**

#### **Eligible participants are identified early and promptly placed in the drug court program.**

One of the benchmarks of this component is that the client appears in drug court immediately after arrest. This is the ideal for ensuring client participation, as the longer substance abusing offenders go without treatment the more likely they are to re-offend. However, most of the drug courts reviewed here are unable to meet this benchmark due to criminal court processes and/or substance abuse evaluation and treatment referral processes.

#### **Cerro Gordo**

When an offender is convicted of a crime, the pre-sentence investigator refers appropriate clients to the drug court. The drug court officer and supervisor conduct an assessment that includes examining the client's Level of Service Inventory (LSI) score, criminal history, Jesness profile, and his or her readiness/willingness to change. The drug court supervisor has final say on who is admitted to the program, though the drug court officer's view carries significant weight. If the client is approved, the pre-sentence investigator recommends drug court to the judge. Other probation officers and judges occasionally also make referrals.

Clients begin the drug court program as soon as they are able. Clients in jail awaiting placement at the residential correctional facility start as soon as they are transferred from jail. Clients in the community start immediately after they are referred and have signed the voluntary agreement to participate.

### **Marshall County**

Adult offender referrals to drug court come from the criminal court, which determines which offenders are ordered into the program. Judges are familiar with the drug court criteria for acceptance. The adult drug court officer carries a half-time criminal offender caseload and has approached attorneys to recommend a criminal court client be ordered to the drug court program. Juvenile client referrals come from police and sheriff's departments. Clients are typically referred during the pre-sentence stage, with juveniles being referred at the time of the initial legal charge. The drug court officer or supervisor screens the client for appropriateness at that time and clients begin the program as soon as they are sentenced. If the client denies committing the crime for which he is charged, the client is returned to juvenile court. The juvenile drug court officer also interviews family members as part of the screening process. The time between referral and program start is no more than one month. This length is due to the criminal court system processes, not to an inability on the part of the drug court team to start the client in the program.

### **Woodbury**

Law enforcement officers refer juveniles alleged to have committed a delinquent act that is a public offense to the probation intake officer. If the intake officer suspects the act was prompted by a substance abuse issue or a substance issue on the part of the client becomes known, the intake officer will refer the offender to the drug court. A drug court officer holds an intake conference with the juvenile and his or her parents, in which he administers the Substance Abuse Subtle Screening Inventory (SASSI) to the juvenile. If this inventory indicates a significant substance abuse problem, the drug court officer refers the juvenile to a treatment agency for a complete substance abuse evaluation. Clients who are determined to be substance dependent are invited to enter the drug court program. The client completes a drug court contract and is ordered into the drug court program. The length of time between referral and program start depends on availability of family members and the juvenile court schedule; drug court and treatment staff works to expedite the process as much as possible.

For adult clients, the length of time between referral and starting the program varies depending on the legal status of the offender. Clients referred during the pre-sentence investigation must wait until sentencing to begin the drug court program. Offenders who are ordered as a condition of their probation are referred at the time of sentencing, and may meet with the drug court officer within a week. The drug court officer discusses the conditions of probation and the rules of the drug court program, and schedules the client for a status review at the next panel session.

**Polk Adult**

There are multiple sources of client referrals, including defense attorneys, prosecutors, probation officers, pre-sentence investigators, past drug court participants, offenders' family and friends, and offenders themselves. The County Attorney's Office makes a determination about whether an offender will be considered for drug court. Offenders approved for consideration undergo a screening assessment with a drug court officer and a substance abuse treatment needs assessment with the TASC Officer. The defense attorney and judge then review the case. If they approve the offender, the drug court team discusses the case and makes a joint decision. If a single team member says no at any point in the process, client is rejected. Once an offender is approved for drug court, the court assigns him/her to a drug court officer and the client appears in court for an initial session. The client is free to change his mind and withdraw his application to drug court at that point. Potential clients also may sit in on a court session prior to completing the screening process to see what it's like and determine whether they want to enter the program. The time between referral and the client's initial session in drug court averages three to four weeks, depending on whether client shows up for each appointment. Clients at this point often are still actively using and may miss one or more appointments.

Team members indicated that the drug court does not receive many referrals of minority clients. While staff has been unable to clearly determine the reasons for this, team members offered some possible contributing factors, including a lack of solid support, leaders and role models for minorities in the greater community, the recovery community, and in the corrections system. Team members also indicated they would welcome increased support from the Drugs and Gangs Unit of the County Attorney's Office in reaching out to minorities who may be eligible for the drug court program.

**Polk County Juvenile**

The primary sources of client referrals are the local community-based substance abuse assessment provider, Employee and Family Resources (EFR), juvenile probation intake, and other juvenile court officers. Juvenile court judges occasionally order offenders to the program. The referring agency or person sends a referral file to the drug court attorneys and the client undergoes a substance abuse evaluation by an EFR assessment counselor. The drug court team reviews the client's case and makes a joint decision whether to accept the client, except in cases where a judge directly orders a client into the program. Most clients begin the program one to two weeks after being referred to drug court.

**4<sup>th</sup> Judicial District**

The main sources of client referrals are the Department of Corrections, probation officers, county attorneys and clients' private attorneys. Clients must make application to the County Attorney's Office for admission to drug court and the County Attorney has the right to reject the application. If approved, the application is sent to the TASC Officer, who interviews the client and evaluates him or her for substance abuse treatment needs, and presents the client's case at staffing for

screening. The team then jointly interviews the applicant at the end of the regular status review hearing, and votes whether to accept the client. Clients begin the program as soon as possible after acceptance.

### **Scott**

Referral sources include treatment staff, lawyers, judges, the county Department of Corrections, the County Attorney's Office, probation officers, police officers, ministers, and offenders themselves. One drug court officer conducts screening assessment interviews with potential clients using the Level of Service Inventory (LSI) as one of the screening tools. The drug court officer also assesses the client's readiness to change and willingness to accept intensive supervision and the other program requirements. He will also see people in jail and prison who want to apply to the drug court program.

The drug court officer and treatment liaison discuss the client's treatment needs and make recommendations to the team. They occasionally will recommend a 30 to 90 day prison stay prior to starting drug court if they believe the client would benefit from first-hand knowledge of what he faces if he fails drug court. The team makes a joint decision regarding prison stays and the treatment program to which the client will be referred.

The average length of time between referral and the client starting the program varies according to the offender's legal status, but averages 3 weeks. Clients considering entering the drug court program are allowed to observe status review hearings prior to making a final decision.

### **Key Component #4**

#### **Drug courts provide access to a continuum of alcohol, drug, and other related treatment and rehabilitation services.**

The drug courts evaluated in this study make concerted efforts to connect clients with all programs and services needed to help them succeed in the program and afterwards. (See Key Component 1 for details regarding assessment and referral processes.) However, various service limitations exist in the communities surrounding these drug courts. Limited collaboration on the part of local mental health providers was a problem identified by most of the drug courts.

### **Cerro Gordo**

The Department of Correctional Services contracts with the local treatment agency to provide a full continuum of substance abuse treatment care from initial screening through aftercare. The drug court caseload is coordinated by the agency's Criminal Conduct and Substance Abuse Outpatient Counselor. The agency conducts a continuing care group specifically for drug court clients. Clients are often referred to local half-way and "three-quarter" houses following treatment. The staff indicates there is an ebb and flow of specific types of recovery support groups in the community but overall support is readily available.

The local mental health agency provides mental health evaluations and treatment. However, services were somewhat limited at the time of the evaluation due to a shortage of psychiatrists in the community. The drug court makes frequent use of area vocational rehabilitation and crisis intervention services. The drug court also has access to services for clients with some special needs such as sexual addictions. The team would like to see more services for female clients and are not completely comfortable with the support for women in the area AA groups.

A new position was recently created within the Department of Correctional Services for a Community Treatment Coordinator who will evaluate and provide treatment group services to offenders, including drug court clients.

### **Marshall County**

The local treatment provider, Substance Abuse Treatment Unit of Central Iowa, provides intensive outpatient, extended outpatient and aftercare services. This agency has recently added staff with mental health counseling backgrounds and offers support groups for clients with persistent mental illnesses and mood and anxiety disorders. There are no inpatient substance abuse or mental health services in Marshall County. The drug court refers clients needing such services to programs outside the area. Detoxification services are lacking for adult clients who often have no medical insurance.

The drug court frequently refers clients to the Workforce Development Center and Vocational Rehabilitation. The court coordinates some cases with the Department of Human Services. Drug court staff refers clients to parenting classes through local colleges or other agencies, substance abuse support programs through local churches, AA/NA, and the Veterans Home.

Additional gaps in services include halfway houses and local options for weekend placement of juvenile clients. The drug court sends juvenile clients in need of weekend placement sanctions to the Iowa State Training School in Eldora and the Iowa Juvenile Home in Chariton. Many juvenile clients express a desire to enter the Job Corps program in Denison, Iowa, but the center often has no openings. Juvenile drug court clients may also benefit from a local summer jobs program.

### **Woodbury**

The local public and privately funded substance abuse treatment agencies provide a variety of treatment services for clients and their families. The public agency, Jackson Recovery Centers, moves juvenile drug court clients ahead on its waiting list. The Woodbury County Drug Court has a grant to pay for treatment for juveniles without insurance or Title 19 coverage. However, clients with insurance or Title 19 benefits often require more services than those benefits cover. There is a need for a juvenile halfway house for youth whose family environments are detrimental. The team refers clients who need out-of-town or long-term residential treatment to a program in Council Bluffs. Adults needing primary residential treatment are referred to a program in Cherokee, Iowa.

The drug court also refers clients to the local mental health center, though there is usually a waiting list for services. Staff will refer clients needing psychiatric medications to the local community health center. Clients with other medical and dental needs also are referred there. The team frequently refers clients to the local community college for educational assistance, Vocational Rehabilitation, the Workforce Development Center, and temporary employment agencies for employment assistance, and to a local family services agency for money management and emergency assistance.

The Department of Correctional Services employs a Community Prevention Educator who teaches relapse prevention, violators program aftercare, anger management and victim empathy classes. The drug court often refers clients to these classes. Staff members indicate an additional need for grief counseling and gang counseling/education services.

### **Polk County Adult**

There are numerous substance abuse and other human service resources in Polk County that are utilized by this drug court. Several treatment agencies together provide a broad range of care. The drug court most commonly refers clients to Broadlawns Medical Center's Addiction Treatment Services, the Mid-Eastern Council on Chemical Abuse, Bernie Lorenz, the Bridges, Zion Brown, Golden Circle Behavioral Health, and Des Moines Pastoral Counseling and utilizes all available local agencies and programs. Long-term inpatient treatment, however, is lacking. This modality of treatment is especially needed for methamphetamine users, which comprise the majority of the drug court client body. The drug court refers many clients needing inpatient treatment to the Iowa Residential Treatment Center (IRTC) at the Mental Health Institute in Mount Pleasant. However, the IRTC often has a several week waiting list. Other treatment facilities often have waiting lists as well. The drug court closely monitors new clients on waiting lists and will place them in jail or another residential corrections facility for safety and sobriety if needed. Clients in custody remain there until a treatment bed opens. Several halfway and three-quarter houses are available for male clients; however there is a shortage of these resources for female clients. Team members also indicate a need for more solid recovery community support for females. The Hispanic community has established its own AA meetings but most other minority groups do not have strong recovery communities established.

Limitations exist in job, transportation, physical, dental, and mental health services for indigent clients. Team members report that drug court clients have good access to services to obtain a GED. The Polk County Department of Corrections employs a person who assists offenders in obtaining GEDs.

### **Polk County Juvenile**

Employee and Family Resources provides assessment and referral services and case management assistance for the Polk County Juvenile Drug Court. Children and Families of Iowa's Cornerstone Recovery program provides residential, day

treatment, outpatient and aftercare services, and has an in-house school. Clients failing at day treatment are quickly moved into inpatient treatment. However, most agencies providing inpatient treatment have long waiting lists, and many clients needing inpatient treatment are sent out of the area. The drug court frequently refers these clients to Woodlands in Burlington or Jackson Recovery in Sioux City. This distance, however often prevents active family involvement in the treatment program.

The drug court refers male clients with insurance coverage to Mercy Recovery Center's First Step program for day treatment, outpatient, and aftercare services. Staff indicated there is a need for a good treatment program for male clients without insurance. Female clients are referred to the Mid-East Council on Chemical Abuse (MECCA) for outpatient and aftercare. However, drug court staff expressed concern that the program is too short to meet many clients' needs. Drug court staff refers females to the Young Women's Resource Center for other women's issues, and clients are required by the drug court to access services there after primary treatment. The drug court also has recently begun referring female clients to the Youth Recovery House in Ames for residential treatment. The drug court refers clients with no means to pay to Children and Families of Iowa's Downtown Group for outpatient substance abuse programming and anger management therapy.

#### **4<sup>th</sup> Judicial District**

The drug court primarily utilizes four agencies across the state for residential treatment, as these services are not provided in Council Bluffs. Following residential treatment, most clients are referred to a halfway house in Des Moines or one of three halfway houses in Omaha, Nebraska as those services also are not available in southwest Iowa. Some clients enter three-quarter way houses, Oxford Houses, or other privately owned 12-step houses in Omaha, Nebraska. A local treatment agency provides outpatient substance abuse and mental health services. There may be a six to seven week wait for an outpatient opening. This agency also offers six drug court treatment group sessions per month. Clients are required to attend at least one session per month after completing primary treatment and aftercare. The agency provides separate group sessions for males and females, consistent with the drug court's prohibition of fraternization between clients of the opposite sex. The drug court refers clients with insurance to one area agency for substance abuse and mental health treatment.

The drug court team has access to numerous additional agencies and services for a variety of client needs. The community health center and Council Bluffs' Public Health Nurse provide medical treatment for clients unable to pay. Area churches and missions provide food, emergency shelter and vouchers for clothing. The Salvation Army provides structured living for indigent clients. The Ponca Tribe provides several services to Native American clients. Clients are referred to the Adult Learning Center and employment agencies for education and employment assistance. Clients also have access to a variety of 12-step and other recovery

support groups such as Moms off Meth (MOMs) and Overcomers Anonymous, a self-run support group for various addictions.

In addition to the need for local residential substance abuse treatment and halfway house services, drug court staff indicated that mental health services are insufficient. Many treatment gaps exist, and clients have difficulty paying for psychiatric medications. Affordable dental care is lacking. Staff members also identify a need for more treatment services for gambling addictions, sexual abuse, and counseling for sexual issues associated with methamphetamine use.

### **Scott**

The drug court refers most clients to the Center for Alcohol and Drug Services (CADS) or the Salvation Army for substance abuse treatment services. The Center for Alcohol and Drug Services provides a full spectrum of substance abuse treatment, including halfway houses. The Salvation Army provides residential substance abuse treatment for indigent male clients. The drug court also utilizes a jail-based substance abuse treatment program run by CADS. This program includes 8 weeks treatment in the Scott County Jail followed by 10 months of continuing care and case management. Many potential drug court clients go through this program while awaiting sentencing and are evaluated there for appropriateness for drug court.

Staff indicates waiting lists are not a significant problem. However, there is a need for additional residential treatment, halfway house services, and community-based recovery groups for women. Outcomes for female clients in this drug court initially were poor due to the lack of recovery support in the community. The team began referring female clients to churches and church-based programs which the team feels helped improve outcomes. One such program is a faith-based women's group run by the wife of one of the drug court officers. Female drug court clients also developed a strong support network among themselves which is supported and encouraged by the team. Other commonly used community support services for males and females include AA and NA and the local recovery groups, Celebrate Recovery and COOL (Christ Over Our Lives).

The drug court refers clients with anger and domestic violence issues to batterer's education and anger management classes offered by the Department of Corrections. Clients needing family counseling are referred to Family Services Agency. This drug court does not often use mental health services for clients, but the team would refer clients to Psychological Associates, if needed.

Team members indicate a need for additional recovery resources for clients who relapse, and that relocating some available services also may be helpful for clients. Many halfway houses are located in neighborhoods where clients' old influences are still strong. The public transportation system in the community is also insufficient for assisting clients in accessing needed services.

## **Key Component #5**

**Abstinence is monitored by frequent alcohol and other drug testing.**

### **Cerro Gordo**

The drug court officer conducts alcohol and drug testing on clients during scheduled office visits and random home visits, most of which are unannounced. The scheduled in-office tests on Phase 1 clients occur at least weekly, and more often in cases where clients are struggling to remain substance free. These tests on clients in later phases of the program occur once per week to once per month, depending on phase and degree of success at staying clean. The drug court officer also occasionally conducts drug tests on a client at panel review hearings and requests that the treatment agency drug test a client, both of which are unannounced. Urinalysis and saliva testing are the primary methods used, with breath alcohol testing used more frequently with clients for whom alcohol is their primary drug of choice and in situations of probable cause. The drug court has an agreement with the residential correctional facility for weekly drug testing of drug court clients placed there. Positive results of alcohol and drug testing conducted by the treatment agency are also communicated to the drug court officer.

### **Marshall County**

Drug court officers perform random drug testing on juvenile and adult clients in the form of urinalysis and saliva testing. The local treatment center also performs unannounced urinalyses on clients and will notify the drug court of positive results. Juvenile clients are tested up to three times per week in Phase 1, up to two times per week in Phase 2, and at least once per week in Phase 3. Adult clients are tested through a random system applied by the Department of Corrections based on the offender's prior substance usage record. Clients may be tested up to seven times per month. Adult clients also know they may be tested each time they meet with the drug court officer or attend panel review hearings.

### **Woodbury**

Drug court officers conduct drug testing on clients at probation appointments and call clients in at unscheduled times for random testing. Urine drug tests routinely screen for marijuana, amphetamines and cocaine. Drug court officers occasionally screen juvenile clients for alcohol through breathalyzer tests. Alco-sensors are used frequently with adult clients. Clients overall are tested an average of three times per month by the drug court officers; more frequently in early phases of program and less frequently in later phases if client has stayed clean. The treatment center also conducts drug testing and notifies the drug court team of positive test results.

### **Polk County Adult**

Drug court officers conduct frequent, random urine drug testing on clients and periodically use breathalyzers to test for alcohol. Clients call in daily to an automated message system that announces which phases or groups of clients will be tested that day. The phases are determined by the drug court officers. If drug court officers receive a tip that someone may be using, they will include that

person's group for testing that day. Frequency of testing varies depending upon the client's phase in the program. Clients in Phase 1 are tested an average of two times per week, while clients in Phase 5 are tested an average of once per month. Clients who have graduated from the program but are still on probation also submit to random drug testing.

### **Polk County Juvenile**

Drug court case managers and school liaisons conduct random drug tests on the juvenile drug court clients. Testing frequency depends on the client's phase in the program. Clients in Phase 1 are tested two to three times per week; clients in Phase 2 are tested weekly; and clients in Phase 3 may be tested less frequently. Staff test urine samples in the office using InstaCups. Positive tests are sent to a local lab for confirmation. This lab sends samples that test positive for amphetamines to another lab for differential analysis to determine whether the client used amphetamines, methamphetamine, or cold medicine. Alcohol is also tested through the urine sample – a solution is added to the urine and can detect alcohol the morning after it is consumed. Drug court staff also infrequently uses breathalyzers to test for alcohol. In addition, treatment agencies conduct drug and alcohol testing and will contact the drug court when a client tests positive. Many treatment centers coordinate drug testing days with the drug court's testing schedule so there is no duplication of efforts.

### **4<sup>th</sup> Judicial District**

The TASC Officer and drug court officer conduct random drug testing on clients. Frequency of testing varies from three times per week to three times per month, depending on program phase. Urinalysis is the primary method of testing used.

### **Scott**

Drug court officers perform routine urinalysis drug testing on the clients during their regularly scheduled appointments. All clients meet with drug court officers a minimum of once per week and usually are required to provide urine samples each time for testing. Clients in the lower program levels generally are tested twice per week. Drug court officers also perform random drug tests at court sessions, during unannounced visits to clients' homes, and at their places of employment. A female staff person in the probation office collects the urine samples from female clients. In the rare event that a female staff person is unavailable, drug court officers use a pupil measurement tool as an initial screening method. Drug court officers also assign a few select clients to the use of an alco-sensor phone which works as a breathalyzer to detect alcohol. The alco-sensor phones are placed in clients' homes and clients are required to call the probation office using this phone at curfew or other times specified by the drug court officer. The use of these phones is limited due to cost considerations.

## **Key Component #6**

### **A coordinated strategy governs drug court responses to participants' compliance.**

All programs have levels or phases through which clients must advance. Each phase has clearly delineated goals and expectations for completion, all include attendance at all scheduled drug court appointments and clean UAs/sobriety. Drug courts provide clients with a pamphlet, handbook or drug court contract outlining the program and phase requirements and staff review these materials with clients. Clients go through a formal process of requesting phase advancement, often involving a written request outlining their progress and reasons they believe they are ready to advance.

All drug courts regularly institute sanctions and rewards in response to client compliance or non-compliance. All drug court teams hold weekly "staffings" prior to meeting with clients for status review hearings. During staffings, the team reviews the progress of each client who will be seen in court that week, determines issues to be addressed with the client and determines potential sanctions and rewards to administer where appropriate. In both panel and judge model courts, sanctions and rewards are typically a team decision.

### **Cerro Gordo**

The Cerro Gordo drug court team generally follows a sanction continuum but specific sanctions for specific violations are not fixed or rigid. Sanctions are determined with consideration for what is most appropriate for the particular client's specific situation and what may be the most helpful or therapeutic consequence. Rewards are similarly determined. The drug court officer and panel members make joint decisions with input from the treatment liaison regarding sanctions and rewards.

Sanctions for first positive drug test or admission of use vary by client situation. Clients may be placed on Zero Tolerance, where they will go before the judge for any subsequent program violation. In other cases, the team orders community service, demotion to a lower program phase, increased treatment requirements or writing assignments. For subsequent use, the team may order a reduction in phase, increased panel appearances and/or treatment requirements, curfew changes, electronic monitoring, and appearance before the judge. The team uses similar sanctions for other program violations and views sending a client to jail or prison as a last resort. Prior to this, offenders may be sent to the violators program (a four to six month, prison-based behavioral treatment program focused on changing criminal thinking that also addresses substance abuse issues) with a plan to return to the drug court program upon release. Community service is not a standard program requirement although panels may impose community service as a sanction or to replace fine repayment. However, community service/volunteer work often is recommended to give clients work experience, involve them in the community and meeting people, and as a motivator to find a paying job.

Commonly used rewards for program compliance include praise and positive affirmation from panels, promotion to the next program phase, decreased supervision (such as fewer drug tests and meetings with drug court officer), and possible decrease in 12-step meeting requirements. Raising curfew times is rarely used as the team does not want to increase opportunities for clients to get into trouble.

### **Marshall County**

The drug court team administers sanctions on a case-by-case basis, taking each client's unique situation, needs, attitude, and level of honesty into consideration. Drug court staff and panelists make joint decisions regarding individual sanctions and rewards. However, there are typical sanctions for certain program violations. Community service and referral back to the treatment agency are often ordered upon first relapse. An extra month per phase is also frequently ordered for adult clients. Sanctions for subsequent use include doubling community service hours, increase in 12-step meeting requirements, and additional time in the current phase. The team may recommend the judge order juvenile clients to detention or a weekend boot camp.

The team uses a variety of additional sanctions for other program violations. These include earlier curfews, electronic monitoring, writing essays outlining reasons they've avoided responsibilities, increased supervision, unannounced home visits and drug tests by the drug court officer, community service and after hours school for juvenile clients. The team will generally require a voluntary admission to the residential correctional facility in lieu of sending the client back before the judge for possible revocation. Community service is not a standard requirement for this program but often is instituted as a sanction. Some clients come to the program with a community service order from the criminal court. In these cases, the drug court team monitors their service work and assists clients in breaking down service hours into a manageable schedule. In phases 2 and above, clients may earn points for voluntary community service.

The team also institutes a variety of rewards for program compliance. The team believes verbal praise from the panel, drug court officer, and judge has a significant impact on clients who often have not received praise and encouragement in their lives. Panels also work to help clients see how their small successes add up to larger successes and to identify actions and choices made while sober that lead to greater success. Other rewards include program phase advancement or increased points within a phase, decreased drug tests or appointments with the drug court officer, reduction in frequency of panel reviews, ability to stay out past curfew for special events and allowing out of town travel.

### **Woodbury**

This court does not use a fixed sanction algorithm. Panels have latitude on sanctions imposed for various program violations. Some team members indicate that there are inconsistencies between panels in instituting sanctions and rewards and that some panelists appear harsh and judgmental, reducing clients' motivation

to do well in the program. More communication and coordination across panels is needed.

Panels typically impose one or more of the following sanctions for juvenile clients' first positive drug test or admission of use: community service, increased 12-step meetings, writing assignments, and/or detention for three or more days. Panels often send adult clients to jail for one to three days, particularly if the client did not admit to using drugs or alcohol. The panel takes into consideration the client's work situation when imposing this consequence and will allow the client to serve jail time on days he/she does not work. Clients admitting to substance use and desiring to work through their relapse within the program may be ordered to attend ninety 12-step meetings in ninety days. Panels apply seven to ten days detention to juvenile clients with continued substance use to stop the using cycle. Adult clients with continued use are referred to a relapse education group, re-evaluated for more intensive treatment, or referred to the judge for a drug court review hearing where he/she may be sent to jail. Panels use a variety of sanctions for other program violations. Sanctions for juvenile clients may include house arrest, community service, reading specific books, report writing, moving clients back one phase, and writing letters of apology for offenses like shoplifting (along with returning the stolen goods). One panel required a juvenile client who was caught littering to sweep the area in front of a local grocery store for an hour. Sanctions for adult clients may include some of the above and more frequent meetings with the drug court officer, weekly panel reviews, electronic monitoring and additional drug tests. Community service is not a standard requirement of this drug court program. Panels often order community service for clients who are not working hard to get paying jobs. Drug court staff helps clients for whom community service is part of their previous sentencing to find service opportunities and the drug court holds them accountable to complete those requirements.

Panels also institute a variety of rewards for program compliance. Verbal praise is a common reward. Clients doing well are reviewed first in the group panel sessions and are allowed to leave early. Panelists award juvenile clients movie tickets, restaurant gift cards, eligibility for group activities such as movies or bowling, extended curfew, extended hours with friends and permission to go out for coffee with AA members after a meeting. Rewards for adult clients may include going in front of the judge for a positive review with a report added to the client's file that he/she is doing well, ability to skip one panel review, and advancing to the next program phase. The adult drug court budget does not allow for provision of material rewards. However, panel members occasionally provide material incentives. One panelist purchased several tickets to a fundraiser dinner for a Narcotics Anonymous social club and gave the tickets to clients.

### **Polk County Adult**

In addition to written materials provided to clients entering drug court, the team also holds all-client meetings twice a year to review program rules with clients, address general issues in the client population, and discuss current or upcoming

events or situations (e.g., at the late fall meeting, guidelines for dealing with using family members at holiday gatherings were discussed).

Sanctions for some program violations are fixed; individual client situations are taken into consideration for many violations. The team considers such things as how new the client is to the drug court program and to treatment and whether or not the client is honest about the violation. The most common sanction for the first occurrence of substance use is jail time. If the client has admitted to using without the team discovering it first and is seeking support for getting clean, he/she may be allowed to remain in the community with a change in treatment modality, possible change in living situation, and increase in AA or NA attendance. Those not admitting their substance use generally receive up to a week in jail, are placed in a relapse prevention program or increased treatment intensity, and are dropped to a lower phase in the program. The court also may require the client to change his/her current place of residence. Common sanctions for other program violations include house arrest, electronic monitoring, increased community service, increased curfew or 12-step meeting attendance, decrease in program phase, and written essays. The court requires daily urinalysis testing for five days if a client fails to come in when called for a drug test. Another fixed sanction is that imposed for speeding tickets: the court requires clients to complete one hour of community service for each mile per hour over the speed limit. The team rewards clients for program compliance with praise and applause for sobriety milestones, permission for increased contact with significant others, an increase in program phase, added freedoms such as weekend trips with family, and the ability to leave a halfway house and establish independent living.

### **Polk County Juvenile**

This court uses a graded but flexible scale of sanctions and rewards. Sanctions depend upon the client's individual situation and abilities, the severity of the violation, and what may be most useful at getting that particular client's attention. Sanctions are administered at the judge's discretion but the judge considers the recommendations of the drug court officers, case manager, and prosecutor.

The court frequently uses house arrest as the sanction for a first positive drug test or admission of substance use. If the client is no longer in treatment, the court will increase the client's AA or NA attendance requirement and frequency of drug tests. Clients who continue to use or commit other serious violations are usually placed in the weekend-long violators program at the Iowa National Guard's Camp Dodge. This program is used as an alternative to detention, which staff does not see as a helpful consequence in most cases. Consequences for other violations include but are not limited to earlier curfew times, increased AA or NA meetings, and a weekend community service program.

The most common rewards for sobriety/good behavior include verbal praise, extended curfew times, moving to the next program phase, ability to participate in outings like baseball games and bowling, and receiving medallions for sobriety.

Team members indicated that positive recognition seems to be the most effective reward.

#### **4<sup>th</sup> Judicial District**

This drug court originally followed a fixed sanction schedule but staff indicated that greater variation has been seen over time as the team has come to realize that individual client situations and needs differ. However, some team members feel they are now too inconsistent at times.

The usual consequences for the first positive drug test or admission of use are immediate jail time of at least one week and an adjustment in the client's treatment protocol or modality. The judge orders additional jail time for a second episode of use. Beyond that, sanctions vary by individual client situation. Some clients may be sent to inpatient treatment, some to the violators program, and some may be sent to prison depending on the person's prior charges and how many times he or she has used. Common sanctions for other violations include a demotion in phase, writing assignments, reading assignments such as the Alcoholics Anonymous Big Book, community service, removal of furlough privileges, moving from a halfway house to the residential correctional facility, and no-contact orders. The team does apply some fixed sanctions for specific violations, such as two hours of community service for missing a 12-step meeting and four hours of community service for missing an appointment with drug court staff. Community service is not a standard requirement for this program, but judges will often order unemployed clients to perform 40 hours of community service.

Clients are rewarded for program compliance and sobriety primarily in the rapidity to which they move through program phases. Some team members maintain that the reward of sobriety and the resulting freedom should be sufficient in itself. However, the TASC Officer maintains a bag of trinkets and items such as bus passes to use as rewards. All clients are given furloughs to go home for Thanksgiving and Christmas unless they are doing very poorly in the program.

#### **Scott County**

This drug court program consists of five levels, or phases. The team does not use a fixed sanction algorithm; each client and situation are looked at individually. Both attorneys express some frustration with the lack of consistency in sanctions across the board but recognize the need to consider individual situations. Clients keep a daily activities journal that they give to the drug court officers when their status review begins.

Jail time often is ordered for the first positive urinalysis or admission of drug use. A client may get one weekend to thirty days in jail depending on the circumstances of the relapse and whether the client was honest about his or her substance use. The court usually will also increase AA meeting, treatment session, and/or probation meeting requirements. The court often orders clients with continued substance use to additional jail time or the jail-based treatment program. The team also frequently refers relapsing male clients to the Salvation Army. Female

clients may be sent to halfway houses out of the area. Sanctions imposed for other program violations typically include time in the residential correctional facility, the violators' program, earlier curfews, tracking by GPS system, phone-based breathalyzer monitoring, house arrest, daily AA/NA meetings – from thirty meetings in thirty days to ninety meetings in ninety days, or completing a fourth and fifth step of the AA or NA program. Drug court officers indicate that jail sanctions instituted early on in clients' tenure have worked very well; clients appear to get on the right track afterwards. They also note good success with the violators program.

Rewards for sobriety and program compliance include permission to go out of town on weekend trips with family, to attend AA/NA conferences or women's recovery retreats, and later curfews for special occasions. Team members give clients praise and applause during status reviews for accomplishments such as getting a job or promotion, sobriety anniversaries, and obtaining a drivers' license. The team does not provide concrete gifts or incentives to the clients.

### **Key Component #7**

**Ongoing judicial interaction with each drug court participant is essential.**

In panel models, community panels serve as the ongoing judicial presence. With the exception of the Marshall County Juvenile Court, clients in panel courts do not have contact with a judge unless panel recommends extended jail time, revocation, or appearing before judge as a sanction itself. Judges generally do not receive regular updates on clients; if the client is doing well then "no news is good news" from judges' perspective.

### **Cerro Gordo**

The panels handle over ninety percent of all accountability reviews for this drug court. The judge sees clients when a panel recommends the client do extended jail time or have probation/parole revoked. The time between panel referral and appearance before the judge ranges from one day to two weeks, depending on the point in the judge's rotation the referral occurs. The judge serving this drug court serves nine counties in the judicial district and is generally in the local area every two weeks. The judge reviews the case and considers the panel's recommendation. He frequently, but not always, supports the recommendation for a jail or prison sentence or revocation of parole. The judicial system sees involvement in the drug court program as the best chance at rehabilitation for these offenders, and prison is considered a last resort. However, extended jail time or a prison sentence occasionally is necessary to promote public safety. About twenty percent of the drug court clients are on "Zero Tolerance," meaning that if they violate program rules they are sent to immediately to jail until they can be seen by the judge. The judge also may take over direct supervision of a client as a last resort prior to jail or prison.

### **Marshall County**

The panels monitor client progress on a weekly basis. Juvenile clients also see the juvenile court judge every two weeks. Adult clients only see the judge upon referral by the panel and drug court officer. The adult court judge does not receive regular progress reports on drug court clients; the drug court officer communicates panel decisions to the judge when judge involvement is needed. Due to the judge's circuit schedule, it may take four to five weeks for the judge to see a client after panel referral, but he will see a client in one week if necessary.

### **Woodbury County**

Drug court officers keep the judges abreast of client situations that may need their involvement. Judge Ackerman attends panel sessions on occasion if he or the team feels the client would benefit from his presence or support. The time between referral to the judge by a panel and appearance before the judge is less than one week.

### **Polk County Adult**

District court judges serve the drug court on two-year rotations. Sixteen judges are in this rotation, so many judges will only serve one term on the drug court. The current judge attends all staffings and presides over all status review hearings. The judge, on rare occasions, is absent for part of the status review hearing due to other court obligations. The drug court officer or supervisor will lead the status reviews in this event. If the current judge is completely unavailable for a court session, he/she will contact the judge who served immediately prior to fill in. If that judge is unavailable, the next most recent judge is contacted and so on.

As with the 4<sup>th</sup> Judicial District Drug Court, clients appear in court for status review hearings weekly in Phase 1, bi-weekly in Phase 2, every three weeks in Phase 3, every four weeks in Phase 4, and every five weeks in Phase 5. The court may increase the frequency of a client's appearances based on client need. All Phase 5 clients are required to make a personal contact with the judge and another team member once a week outside of court. Judge Pille, who was serving the court at the time of this evaluation, also occasionally initiates contacts with clients (for further details, see the "Outside Contact" portion of Section 2: Satel Criteria). The drug court judge also presides over graduation ceremonies.

### **Polk County Juvenile**

One judge serves the Polk County Juvenile Drug Court and provides a directive presence in all staffings and status review hearings. The drug court team discusses all clients at each staffing. The frequency of clients' appearance at status review hearings varies by program phase. Clients in Phase 1 appear in court every week. Clients in Phase 2 appear every two to three weeks unless they are having problems. In those cases, clients will appear in court the week in which he/she is having problems and may check in daily. Clients in Phase 3 generally appear in court once per month. Some clients express a desire to appear in court more frequently than required, and are allowed to do so. These clients are often youth who receive little encouragement at home.

#### **4<sup>th</sup> Judicial District**

This drug court originally had one judge dedicated to drug court who participated in staffings and presided over all status reviews. In 2005, drug court was added to the district court judges' nine county rotation schedule. The judge currently on the local criminal court docket presides over drug court hearings with a different judge hearing drug court cases each month. The drug court team and judge interact with clients being reviewed and the judge considers the team's recommendations for sanctions and rewards. Judges do not participate in staffings and often are unable to remain in the courtroom for some status reviews due to their obligation to the civil and criminal courts also convening that day. In those cases, the judge sees jailed clients and clients for whom the team is recommending jail or revocation. Other clients are reviewed by the team itself. Drug court team members reported that the judicial rotation schedule is inconsistent and not well defined and team members may not know what judge will preside over the hearings until the hearing begins.

#### **Scott**

The current judge is serving a two-year term with this drug court. Previous judges served approximately one year each but the team and current judge felt a longer term may be more beneficial to clients. Clients appear in court from once per week to once per month, depending on the level of the program they are in. The judge attempts to attend all staffings and status review hearings. However, other criminal court obligations occasionally cause her to miss parts of the court session. In the judge's absence, the drug court team conducts status reviews with clients who are doing well and are remaining at the same program level. The judge monitors client progress on a weekly basis through progress reports provided by team members during staffings. The judge also presides over client graduations, which are held in the courtroom.

#### **Key Component #8**

**Monitoring and evaluation measure the achievement of program goals and gauge effectiveness.**

The benchmarks for this key component involve the use of electronic means of monitoring program statistics and outcomes. This evaluation did not include an assessment of the use of those tools. The following discussion provides information regarding who provides program oversight and examples of changes in program policies or procedures to improve outcomes.

#### **Cerro Gordo**

The original drug court planning committee became the Oversight Committee when this drug court program began accepting clients. This committee meets as needed. The drug court officer maintains regular contact with the County Attorney, Public Defender, and judge who are on the Oversight Committee. The drug court staff keeps abreast of new research in substance abuse and corrections fields, and

regularly implements best practices. The drug court officer monitors program statistics selected by the team on a regular basis and the team continually examines ways to adjust processes to improve outcomes. As an example, the drug court increased the number of panels from four to five when the caseload increased significantly. However, after seeing deterioration in clients from having less frequent panel reviews the staff decreased the number of panels back to four.

### **Marshall County**

An oversight committee comprised of some members of the initial planning committee, drug court supervisors, and a panel liaison meet approximately quarterly to review program processes and outcomes. There have been no significant changes made in policies or procedures, but a point scoring system was added to the phase requirements to provide more measurable and concrete criteria for phase advancement.

### **Woodbury**

An oversight committee comprised primarily of members of the initial planning committee meets monthly to review drug court processes and outcomes. This committee includes three judges, the district chief juvenile court officer, assistant county attorney, public defender, the judicial district director, clinical director of a local treatment agency, county sheriff, and a representative from the community school district. Some changes to program processes have been made as a result of these reviews. The court originally had only one panel with eight to ten members. This was intimidating for the clients and time consuming for volunteers and staff, so four panels were created. Another change was in the process for short-term jail placement. Panels can now ask the judge via a phone call for immediate jail placement rather than waiting for a review hearing with the judge. The current length of program is based on results of an extensive evaluation of this drug court conducted by researchers at the University of South Dakota in 2005. This drug court has electronic access to the Police Department's data management system. At the time of this evaluation, the court was in the process of transitioning to a paperless information system whereby juvenile court staff, treatment providers and researchers could access client data.

### **Polk County Adult**

This drug court does not have an oversight committee although the court is considering creating one. Drug court team members indicated they regularly monitor their effectiveness as a team and have implemented changes to improve outcomes. Each new judge serving the court also assesses the court's functioning and may institute changes. Several significant changes have occurred in this drug court's processes and procedures. This was originally a misdemeanor court whose clientele was defined by the grant funding the program. Drug court staff recognized that misdemeanor clients did not have sufficient incentive to comply with program requirements and when the initial grant funding ended the court became a felony court. Initial grant requirements also excluded clients with weapons and domestic assault charges but the court has expanded to accept some of those cases. Early judges on this court served for one to two years and

moved on to different positions. The team recognized the benefits of judges serving longer terms and pushed for a minimum of two year terms. The district court judges agreed to the current two-year rotation. Status review hearings initially were conducted on a first come, first served basis with clients leaving after their individual reviews were completed. A judge changed this format so that all clients attend the entire court session in order to learn from each other.

Another change was the increase from four to five program phases. When the team observed that many clients were relapsing after graduation in the four-phase program, a fifth phase was instituted to increase their time in the program and strengthen their recovery. In addition, drug court graduates still on probation now return to drug court upon receiving a new charge, rather than going into the regular criminal court.

### **Polk County Juvenile**

Phil Douglas, Marilyn Lantz (Juvenile Court Chief for this district), and Judge Fultz oversee the drug court program. These individuals meet regularly to discuss opportunities for program improvement. Graduates' records are monitored for a year to see if former clients acquire new charges.

### **4<sup>th</sup> Judicial District**

The Director of the 4<sup>th</sup> Judicial District Department of Corrections has oversight of the drug court and monitors program activities and outcomes. When the court had a dedicated judge the entire team including the judge held staff working retreats two to four times per year. The purpose of these retreats was to review the program structure and rules as well as how the team was dealing with various client situations, and to evaluate whether changes were needed. The team has not held such retreats since that judge vacated the position.

### **Scott**

An oversight committee was established under the founding grant but after some time the chief judge determined the committee was no longer needed. The current chief judge, who currently is the presiding judge for this drug court, provides oversight. The judge and drug court team monitor client outcomes and make programmatic changes when needed. For instance, a treatment agency representative was added to the team in 2005 to improve communication between the agency and the court.

### **Key Component #9**

#### **Continuing interdisciplinary education promotes effective drug court planning, implementation, and operations.**

None of the drug courts evaluated in this study have implemented specific drug court training requirements. Drug courts with sufficient funding to send staff members to training seminars do so. Drug court officers fulfill regular probation officer continuing education requirements and treatment staff members of drug

court teams maintain substance abuse certifications. It was this evaluator's impression that ongoing interdisciplinary education between team members occurs during staffings, status review hearings, and other interactions between team members.

### **Cerro Gordo**

Cerro Gordo County drug court staff has not attended drug court specific training seminars or conferences due to budget limitations. The probation officer has written a six-hour drug court training curriculum for drug court officers and has given presentations at two national training seminars. The drug court officer and supervisor also visited other drug courts to learn their processes. New panelists undergo a thorough orientation. Subsequent panel trainings occur one to two times per year. Topics include various issues pertinent to drug courts and substance abuse treatment such as interpretation of Jesness Inventory scores, Motivational Interviewing or other evidence-based treatment approaches, co-occurring disorders, etc. The probation officer, supervisor, treatment liaison, mentoring coordinator and judge present relevant information from their perspectives and professions. A Court Appointed Special Advocate (CASA) occasionally presents information at these training sessions as well. In addition, the probation officer provides ongoing training updates to panelists with new information regarding substances of abuse, new programs available to the court, and new treatment approaches.

### **Marshall**

The adult drug court supervisor has attended two week-long trainings but did not find them very helpful as they were geared toward judge-model programs. SATUCI staff provide regular trainings to drug court team members when new treatment approaches are introduced in the field. Probation officers receive in-house trainings on new correctional approaches and assessment tools. Panel trainings occur two to three times per year. The trainings are interdisciplinary in nature, with the probation officers, supervisors, judge, and treatment liaison presenting information and perspectives from their respective fields.

### **Woodbury**

Adult and juvenile drug court officers have attended national and regional drug court conferences and workshops. The chief juvenile court officer has attended numerous drug court trainings and conferences. Panel training sessions are held four times per year and include multidisciplinary training presentations. Drug court staff and local service providers present information on such topics as evidence-based treatment approaches, locally available social services and AA/Al-Anon philosophy.

### **Polk County Adult**

Most team members have attended regional or national drug court professionals' conferences or seminars or have participated in drug court tracks at the National Rural Institute on Alcohol and Drug Abuse. The current judge attended a week long judicial training through the National Drug Court Institute.

### **Polk County Juvenile**

Judge Fultz attended judicial drug court training in 1999. The judge, probation officer, case managers, and county attorney attended annual national drug court conferences in 2000, 2001, and 2006. The public defender has attended one national drug court conference. Team members regularly share information from their respective fields with other members of the team.

### **4<sup>th</sup> Judicial District**

Most team members have attended conferences or seminars for drug court professionals. Interdisciplinary ideas are exchanged on a regular basis during client staffings. However, it may be beneficial for this team to re-institute periodic retreats such as those mentioned in Key Component 8.

### **Scott**

Few team members have attended drug-court specific trainings or conferences due to time and budget constraints. Team members keep up with current literature on drug courts as well as their respective fields and inform each other of new information and trends on an ongoing basis.

### **Key Component #10**

**Forging partnerships among drug courts, public agencies, and community-based organizations generates local support and enhances drug court program effectiveness.**

This evaluation did not involve a systematic assessment of drug court efforts to involve the larger community in ongoing drug court planning and assessment. Comments in this section reflect team member and evaluator impressions of partnerships between drug courts and community agencies, and in some cases impressions of the community's awareness and acceptance of the drug court program.

### **Cerro Gordo**

The Cerro Gordo County drug court has close collaborative relationships with many local providers including the substance abuse treatment provider, Vocational Rehabilitation, Crisis Intervention, and On Common Ground Ministries, Inc., which provides mentoring and transitional housing support. Team members express a desire for improved collaboration with the local mental health center.

### **Marshall County**

The Marshall County Drug Court probation officers function secondarily as social service brokers, connecting clients to a variety of services such as parenting classes, family counseling, day care services, and budgeting assistance. Staff of various community based agencies in Marshalltown often know each other and have worked collaboratively on cases for several years. The drug court team has effective partnerships with most local service agencies. Team members

expressed a desire for closer collaboration with the local mental health agency but that agency is unable to provide services or staff time to attend meetings without fiscal reimbursement.

### **Woodbury**

This drug court has close, collaborative relationships with many substance abuse and other community service agencies. Local treatment agencies work to expedite provision of services to clients to the extent possible with limited staff and programming resources. This court has hosted drug court planning committee members from several courts across the state. Attorney General Tom Miller also visited the drug court and indicated that he was highly impressed with the program.

### **Polk County Adult**

The Polk County Adult Drug Court works in close partnership with several treatment providers in the area. As indicated in Key Component 1, they have a particularly close collaboration with Employee and Family Resources. This court has also hosted several staff from other districts involved in planning drug courts.

### **Polk County Juvenile**

This court has positive rapport with local and statewide treatment agencies and receives good cooperation from treatment agencies, other social service agencies, and schools. The Greater Des Moines Foundation has a drug court fund that is well supported by the community.

### **4<sup>th</sup> Judicial District**

The drug court and other corrections, judicial, and law enforcement agencies work in close partnership. Some drug court staff report strained relationships with some service agencies but it appears the drug court team has collaborative relationships with numerous providers and no service gaps exist as a result. In addition, staff reports that there is a network of solid people in 12-step programs who have taken an interest in the drug court and show clients how to have fun sober.

### **Scott**

This drug court has close collaborative relationships with service providers in the community and with the drug court in the neighboring community in Illinois. The drug court has the support of the judicial system and has gained the support of the drug unit staff of the County Attorney's Office, who initially was opposed to the drug court program. The probation officer who was instrumental in founding this drug court gave many public talks and conducted public relations efforts with community agencies and businesses but it is difficult to gauge the current level of awareness and acceptance in the community. Some team members indicate that acceptance on the part of local employers is less than desirable, as drug court clients, especially African American males, have difficulty obtaining steady employment.

Table 6 provides a simple rating of the drug courts according to the benchmarks for the 10 Key Components. The presence of an "X" indicates that the drug court

generally meets all the benchmarks for that Key Component. The absence of an “X” does not necessarily indicate major failings but may be an indication of room for improvement. Drug courts in many cases do not meet all benchmarks because of circumstances outside of their control such as limited availability of treatment services, limited drug testing budgets, and limited funding for training. The reader is reminded that these Key Components and benchmarks are intended to be ideal rather than minimum standards to which drug courts should aspire.

**Table 6. Achievement of the National Association of Drug Court Professionals and the U.S. Department of Justices 10 Key Components for Each Drug Court.** (Continued on next page.)

	Drug Court						
	Panel Model			Judge Model			
	Cerro Gordo	Marshall	Wood-bury	Polk – Adult	Polk – Juvenile	4 <sup>th</sup> Judicial District	Scott
<b>Key Component 1: Drug courts integrate alcohol and other drug treatment services with justice system case processing.</b>	X	X	X	X	X		X
<b>Key Component 2: Using a non-adversarial approach, prosecution and defense counsel promote public safety while protecting participants’ due process rights.</b>	NA	NA	NA	X	X	X	X
<b>Key Component 3: Eligible participants are identified early and promptly placed in the drug court program.</b>	X				X		
<b>Key Component 4: Drug courts provide access to a continuum of alcohol, drug, and other related treatment and rehabilitation services.</b>	X						
<b>Key Component 5: Abstinence is monitored by frequent alcohol and other drug testing.</b>		X		X	X	X	X
<b>KEY</b> X = Generally meets all benchmarks    Empty Box = Does not meet all benchmarks    NA    Not Applicable							

	Drug Court						
	Panel Model			Judge Model			
	Cerro Gordo	Marshall	Wood-bury	Polk-Adult	Polk-Juvenile	4 <sup>th</sup> Judicial District	Scott
<b>Key Component 6: A coordinated strategy governs drug court responses to participants' compliance.</b>	X	X		X	X	X	
<b>Key Component 7: Ongoing judicial interaction with each drug court participant is essential.</b>				X	X		X
<b>Key Component 8: Monitoring and evaluation measure the achievement of program goals and gauge effectiveness.</b>	This component was not systematically assessed.						
<b>Key Component 9: Continuing interdisciplinary education promotes effective drug court planning, implementation, and operations.</b>		X	X	X	X	X	
<b>Key Component 10: Forging partnerships among drug courts, public agencies, and community-based organizations generates local support and enhances drug court program effectiveness.</b>	This component was not systematically assessed.						
<b>KEY</b> X = Generally meets all benchmarks      Empty Box = Does not meet all benchmarks      NA Not Applicable							

## Summary and Impressions

### *Level of Staff Agreement and Program Fidelity*

The Cerro Gordo, Marshall, and Polk Juvenile courts demonstrate high levels of staff agreement and consistency in their approach to treating clients. The 4<sup>th</sup> Judicial District drug court appeared to have the highest level of disagreement among staff. Staff of the Woodbury and Scott County drug courts also showed some notable areas of disagreement, but the staffs in all three courts generally appear to function effectively as teams in treating clients.

### Cerro Gordo

The Cerro Gordo County Drug Court team demonstrates a unified guiding philosophy and approach to treating clients. The staff, the treatment liaison, and panelists are in general agreement on all key aspects of the drug court program and appear to function effectively as a team. Team member responses to interview questions varied on some items, but were not conflicting or contradictory.

Team members are in agreement regarding the target population and report that the program is generally reaching the targeted offenders. However, the court also serves some clients not fitting the original target definition. The initial definition omitted offenders with assault charges, but those offenders are now accepted if they do not have a demonstrated history of abusiveness. In addition, judges from criminal courts occasionally order offenders into the program who, for a variety of reasons, do not meet the target criteria. Some team members feel these clients direct staff time and energy away from clients who sincerely want to change. Generally, however, this court has close, effective working relationships with the criminal court, including the County Attorney's and Public Defender's offices. Judge James Drew, the district court judge assigned to review drug court cases, maintains close involvement with the staff and clients.

Drug court and substance abuse treatment services are well integrated. The drug court staff and treatment liaison maintain appropriate professional separation from the panelists, such as being selective about client information shared with panelists, though all work together as a team in treating clients.

Cerro Gordo County Drug Court team members were in agreement about the purpose and goals of the drug court. Team members consistently reported that helping clients achieve sobriety and develop a drug-free life is the main purpose of the drug court. While living a crime-free life was implicit in these responses, only one person specifically mentioned reducing recidivism. Team members believe lending positive support and encouragement without enabling is the most effective approach for the majority of clients. This philosophy is consistent throughout the program; it is reflected in the program materials, phase advancement requirements, and in the manner with which staff and panel members approach clients. Even when clients are sent to the judge for

sanctioning, Judge Drew's approach involves ensuring clients know he cares about their well-being and that the sanctions are aimed at reinforcing a sober lifestyle and helping them succeed.

All team members reported that this court does not use a fixed sanction continuum. That sanctions are not fixed was evident in the varying responses to questions regarding most common sanctions for first and subsequent substance use. Sanctions are determined according to what seems most appropriate for each client and situation. Team members also agreed on the primary purposes of community service and the primary reasons for client failure. Team members differed somewhat in their rankings of the most common program violations, although program attendance and continued substance use ranked near the top for most respondents. Failure to follow curfew consistently ranked low. Team members also differed in what they saw as the greatest problems or needs for the drug court. These responses were not conflictual or contradictory, however, and the team appears to share similar and complementary views about treating clients.

Staff interviews suggested:

- increasing the frequency of panel reviews for clients (which the Drug Court Officer indicated they would do if the caseload remains low);
- creating group panel review sessions; and
- increasing panel training on criminal thinking and commonly encountered mental health disorders.

### Marshall

The Marshall County Drug Court team also demonstrates a unified guiding philosophy and approach to clients. The staff, treatment liaison, and panelists are in agreement regarding the purpose and goals of the drug court program and appear to function effectively as a team. Roles are clearly defined and agreed-upon. Team member responses to interview questions varied on some items but were not conflicting or contradictory.

All drug court team members and criminal court personnel involved in referring offenders to the Marshall County Drug Court generally agree on the defined target population and that the target population is being served by this court. Judges may order adult offenders into the program who are higher risk than the target definition includes but this is a rare occurrence. This drug court has a collaborative relationship with the criminal court, although criminal court processes create delays in clients starting the drug court program and seeing a judge in a timely manner.

The drug court program and substance abuse treatment services appear well-integrated. While treatment staff does not routinely participate in staffings and status review hearings, the drug court has a close, collaborative relationship with the local treatment provider and staff maintains ongoing communication with

treatment staff regarding client progress. All team members except the treatment liaison indicated the continuity of care in treatment services was sufficient, and all agreed on existing gaps in community services for clients. The treatment liaison felt continuity of care was insufficient, particularly regarding detoxification/stabilization and residential treatment openings. While drug court and community-based resources are limited, team members indicate that the relatively small size of the community facilitates communication and service coordination across agencies.

Drug court team members agree that the main purpose of the drug court is to provide a support system for clients to stop substance use and become responsible, productive citizens. As in the Cerro Gordo County Drug Court, Marshall County Drug Court team members believe positive reinforcement, support and encouragement are effective tools for change. Team members place heavy emphasis on clients improving their family relationships and becoming involved in positive social activities and full time employment or education. The expressed philosophy and values are demonstrated consistently across program materials, requirements, and staff and panel approaches to clients.

All team members agreed that the court does not use a fixed sanction algorithm, but all reported the same two sanctions as common for the first substance use violation. They gave a wider variety of responses regarding sanctions for continued substance use. It appears that the team considers each client's situation when determining sanctions, but agrees on the sanctions most appropriate for client's first substance violation. Team member responses regarding the main drugs of abuse were also fairly consistent.

Team member responses to questions regarding most common program violations were somewhat inconsistent. Substance use and work or school attendance ranked in the top three for all staff, but other violations received different rankings from each person interviewed. Team members also differed somewhat in their perceptions of the main reasons for client failure, but their responses were not contradictory. Some focused on factors internal to the clients (motivation/willingness to change) while others focused on external factors (lack of parental involvement or follow-up support). Both perspectives are valid and important for the team to consider.

Team members gave a variety of answers regarding the weaknesses and needs of this drug court program, with responses reflecting the unique perspective of each person's position. Staff interviews suggested:

- developing a mentoring program;
  - increasing panel trainings on appropriate times to administer heavy sanctions;
  - providing additional concrete incentives and rewards for client progress;
- and

- transitioning juveniles directly into the adult program at age 18.

The court was actively pursuing options for a mentoring program at the time of this study. Staff indicated that short of a budget increase, increased community awareness and support may help provide concrete incentives, such as local businesses donating gift certificates. The court is currently unable to move juvenile clients into the adult program at age 18 due to criminal statutes.

### Woodbury

Woodbury County Drug Court team members agree on the target population and the purpose and goals of the drug court program. However, there appears to be less cohesiveness between staff and panels in this court surrounding some issues compared to the other panel model courts. Team member perspectives and approaches to client situations appear to vary more than in the other panel model courts.

The Woodbury County Drug Court staff indicates the target population is being served, though one adult program staff member indicated additional resources are needed to reach more offenders. As with the Cerro Gordo County Drug Court, the initial target definition excluded clients with assault charges; however the program now accepts offenders with assault charges who have no history of abusiveness. The criminal court generally adheres to the target definition in referring offenders to the program. This drug court appears to have a close collaborative relationship with the criminal adult and juvenile courts.

The Woodbury County Drug Court appears to have effective collaborative relationships with local treatment providers. Juvenile treatment staff members attend staffings and hearings when possible. Adult treatment staff members are unable to attend staffings and hearings due to work schedule conflicts, but provide regular client progress reports to drug court staff.

All team members indicate that helping clients overcome substance abuse problems and make meaningful change are the main goals of the drug court program. Juvenile team members emphasize a supportive and holistic approach to helping clients achieve sobriety. Judge Ackerman, the district court judge assigned to hear drug court cases, is in agreement with this philosophy and advocates support and encouragement as agents of change in most cases. This philosophy was not observed consistently across program components, however. While the atmosphere of the juvenile status review hearing appeared supportive and encouraging, the atmosphere of the adult hearing appeared much more formal and less supportive and encouraging. Conclusions should not be drawn based on single session observations, however. The drug court materials emphasize contractual agreements, compliance, and accountability, with little emphasis on the court as a source of support or encouragement. The participant handbook contains extensive information on the predictors of relapse, which is intended to help clients. However, it was unclear whether some of the

information addresses return to substance use or return to criminal activity. In addition, the proffered information regarding the likelihood of relapse may be interpreted by some readers as minimizing the likelihood of relapse for heavy alcohol users compared to heavy drug users.

There is general agreement among team members regarding gaps in needed services. They agreed on the most common program violations but differed somewhat on the main reasons for client failure. Corrections-oriented team members focused on new criminal charges and negative peer associations, while treatment-oriented team members focused on non-compliance with recovery recommendations and continued substance use. Team members agreed on the three most commonly used substances but disagreed on the rankings of those three. They agreed that the court does not administer fixed sanctions but agreed on the most common sanctions for first and continued use.

Some staff members expressed disagreement with some panel activities and approaches. Staff reported that not all panel members are present every month and that this gives clients the impression they are not a priority for the panelists. One adult panel member who is also a treatment counselor reported that some panels are harsh and judgmental, which reduces client motivation.

Staff interviews suggested:

- increasing funds to provide more treatment, additional services for adults such the 12-step education group for juveniles, and more temporary housing for adult and juvenile clients;
- rearranging schedules so adult treatment counselors can attend staffings and panel sessions;
- increasing commitment and consistency of panels; and
- increasing concrete incentives for clients doing well (the juvenile drug court coordinator is working with the local community to generate additional incentives).

### Polk Juvenile

The Polk County Juvenile Drug Court staff and judge are in agreement regarding the purpose and goals of the drug court program and appear to function effectively as a unified team in their approach to clients. Team member responses to interview questions overall were notably consistent. There is some disagreement between the drug court and the criminal court regarding the target population.

The Polk County Juvenile Drug Court staff indicates the program is not serving the original intended target population due to a change in philosophy at the County Attorney's Office. This drug court program was intended to targeted young offenders in efforts to prevent them from committing further and more serious crimes. However, the County Attorney's Office no longer files for court action on first or second offenses. Consequently, the clients this drug court

serves are older, more experienced with drugs and crime and, according to staff, more difficult to change.

There has also been a recent shortening of the length of time to complete the drug court program. The administrator reported that clients have recently completed the program within six to nine months, whereas clients previously completed the program in nine to twelve months. The administrator was unclear on the reasons for this, but this may have a bearing on long-range outcomes. The administrator indicated the program does not include continued supervision of clients after graduation, but the prosecuting attorney indicated some clients remain on the caseload if their legal record warrants further supervision.

This court has the benefit of a single, dedicated judge who was instrumental in starting the program and has served the court since its inception. The judge and team members function as a well-integrated and unified team, with each effectively performing the unique functions of his or her specific role on the team. All agree on the philosophy and goals of program, which are to provide or link clients with services to meet needs in all areas of their lives, to treat the entire family, and to hold the client and family accountable. Team members were in general agreement about all aspects of the program, clients' issues and needs, and the importance of considering each individual situation in determining sanctions. All agree that detention is to be used only as a last resort. As with the Woodbury County program, the drug court materials emphasize compliance and accountability with little emphasis on the court as a source of support or encouragement. However, the judge and team demonstrate caring toward clients and give ample praise and encouragement as appropriate.

There were no notable discrepancies noted between staff nor any significant problems or areas of lack in the drug court program itself. This court has close collaborative relationships with several treatment providers and good relationships with most schools. Team members agree the greatest needs for the drug court program are additional funding for treatment and family therapy services.

#### Polk County Adult

The Polk County Adult Drug Court team members are in agreement regarding the purpose and goals of the drug court program and appear to function as a unified team. District court judges, who serve the court on two-year rotations, bring differing philosophies to the program and have instituted changes in drug court processes. Some judges' approaches were in conflict with those of the team; however the current judge and team members appear to share a common philosophy regarding how to approach clients. Team member responses to interview questions varied on some items, but were not conflicting or contradictory.

The target population for this drug court changed when the initial grant funding ended. The grant required the court to accept misdemeanor cases and exclude parolees and offenders with domestic assault charges. The court now serves felony offenders at all stages of the legal process and accepts some offenders with weapons and domestic assault charges. Staff members indicate the program is not reaching minority members of the target population, though staff members expressed differing views of the reasons for that.

All team members agree the purpose and goals of the drug court program are to help addicts recover and to provide an alternative to prison. Judge Pille's guiding philosophy for the drug court is to be positive with clients, encourage them in their recovery efforts, and to show them that all team members care about them while still holding them accountable for their actions. The judge strongly supports the team concept and sees his role on the team as a chairperson rather than the director of the court. The team's approach to clients in this drug court hearing seemed the most therapy-oriented of all the courts reviewed. It also appeared that there was a sense of camaraderie between the team and clients and among clients themselves. Priorities appear consistent across program components. Team members and program materials emphasize the importance of twelve-step involvement, community service, full-time employment or educational programs, developing healthy relationships, and honesty in all aspects of the client's life. This is the only drug court with a specific community service requirement.

This drug court has a close collaborative relationship with the local substance abuse assessment and referral agency and appears to have effective working relationships with other providers. Team members gave a variety of answers regarding insufficiencies in available treatment services but the responses did not conflict.

Team member responses varied regarding whether the court uses a fixed sanction algorithm, but they gave consistent answers regarding the most common sanctions used for first and subsequent substance use. Team members were in agreement about the most commonly used substance among clients entering drug court and agreed on the largest contributors for clients failing the program. Their responses regarding the most common program violations varied, however.

Team members were in general agreement regarding program needs. Staff interviews suggested:

- increasing funding to treat more offenders and high needs individuals;
- increasing the court's ability to reach minority offenders;
- increasing support from the Drugs and Gangs Unit of the County Attorney's Office; and
- improving efforts to assist clients with relationship issues.

#### 4<sup>th</sup> Judicial District

The 4<sup>th</sup> Judicial District Drug Court team expresses general agreement regarding the target population and the purpose and goals of the drug court. However, there are notable differences in team members' philosophies for helping clients succeed.

Team members report that the court generally adheres to the definition of the target population, though on rare occasions they will accept high-level drug dealers or offenders who have used weapons in crimes. This court is the only court of those reviewed in this study that serves all counties in the judicial district. The administrator indicated the program is not reaching many members of the target population living in the outlying counties in the district. The drug court has a collaborative relationship with the criminal court and is the only drug court reviewed that has a police surveillance officer on the team. This court is also unique in that all clients' legal charges are dropped upon successful completion of the program.

The guiding philosophy of this drug court is to help clients overcome addiction, exit the criminal justice system, and lead productive, crime-free lives. This philosophy is expressed consistently across staff and in program materials, demonstrating a balance between recovery and corrections approaches. Substance abuse treatment continues at some level throughout the drug court program. The team directs clients' focus to their individual recovery and prohibits clients from starting new intimate/romantic relationships in the first year of sobriety. The court issues no-contact orders if existing relationships appear detrimental. The team emphasizes absolute honesty in all aspects of the client's life. The program also emphasizes stable employment and the team encourages clients to develop a marketable skill or trade.

A representative from a local substance abuse treatment agency participates in staffings and is present as an observer at status review hearings. However, the drug court staff indicates that communication within this agency and between the agency and the drug court is problematic. Team members indicate that communication with other service providers is generally good.

Process interview results indicated more disagreement and less respect between team members in this court than in the other courts studied. There appears to be disagreement between the agency representative and some staff members and between staff members themselves regarding the correct approach to take with clients.

Areas of disagreement include the strictness and rigidity of the program, the approach to client relationships and family situations, and the degree of individualization in treatment recommendations. Staff members voice their opinions and disagreements in staffings but work toward consensus. A dissenting staff person will give his opinion but will ultimately honor the team's decision. The judge makes a final decision if the team can not reach majority

consensus. Team interactions during the court hearing appeared respectful. While team members occasionally gave differing feedback to clients, clients did not demonstrate apparent confusion regarding this feedback. The team unified in assisting clients in understanding why particular choices were detrimental to their recoveries. All team members, including the judge, gave encouragement and demonstrated respect for the clients, and occasionally engaged in lighthearted teasing with clients and each other.

Team members gave varying responses when asked whether the court uses a fixed sanction algorithm. Most indicated that sanctioning is individualized to the extent needed; however, one team member felt this led to inconsistent treatment of the clients at times. Responses regarding the most common sanctions for first and subsequent substance use were consistent across staff members. All agreed on the most commonly used substance among clients entering the program but gave varying answers regarding the second and third most commonly used substances. Team members generally agreed on the most common program violations and the main reasons for client failure. All also agreed that the greatest need for this drug court is a dedicated judge.

Staff interviews suggested:

- assigning one judge to the drug court or increasing the length of judge rotations;
- increasing contact with County Attorneys of the other counties in the district to increase offender referrals;
- establishing meaningful follow-up contact with clients after graduation;
- improving communication with the local treatment agency; and
- re-instituting staff working retreats to evaluate drug court procedures and processes.

### Scott

The Scott County Drug Court team members are in agreement regarding the purpose and goals of the drug court program. There is general agreement and adherence to the defined target population among drug court and criminal court staff. Team members disagree on some aspects of the court's approach to clients but demonstrate respect for each other's opinions and function as a unified whole in addressing clients.

The judge and team members agree that the purpose and goals of program are to treat clients' addictions, address their criminal thinking, and help them develop a solid recovery support system and lifestyle. This philosophy is demonstrated consistently throughout the program. The team and judge demonstrate caring and respect for the clients in staffings and status review hearings. All believe in the importance of developing a supportive community among drug court clients. There is a clear sense of community among clients and team members in the status review hearings.

Team member interviews revealed two main areas of disagreement: flexibility of sanctions and clients' mental health issues. One team member indicated sanctions are too inconsistent, while another indicated they should be more individualized. One person indicated there is some resistance within the team to address clients' mental health issues. Team members express their disagreements openly but appear respectful of each other and use humor to lighten the situation.

There was some inconsistency in team member responses regarding the most commonly used substance among clients entering drug court and the most common program violations. Team members generally agreed on main reasons for client failure. They agreed that the court has effective collaborative relationships with treatment and other community service providers and agreed on the main service gaps for drug court clients. Team members identified a variety of needs for the drug court program. Interviews suggested:

- increasing funding to pay for prosecutor and public defender's time on drug court;
- resolving criminal court schedule conflicts so the judge and prosecutor may be present for the entire drug court hearing; and
- increasing community awareness and support to assist clients in becoming productive citizens.

#### *Cross-Court Comparisons of Supervision and Client Severity*

The Intensive Supervision Program (ISP) drug courts, Polk Adult and Scott, provide somewhat higher levels of offender supervision than the other courts studied. The frequency of client meetings with drug court officers and minimum and average time to program completion are greater than in the other courts. The frequency of status review hearings and drug testing in the ISP courts is similar to that in the other courts. The Polk County court provides extended supervision after graduation. The Scott County court provides continued supervision, but the length varies depending on the client's legal status.

While it is difficult to accurately assess client severity level from staff reports, the Polk, Scott and Marshall County drug courts may serve clients of a slightly higher severity level than the other courts, and the Woodbury County Drug Court may serve the least severe adult population. The adult drug court program in Woodbury County provides the lowest level of supervision and has the highest client to officer ratio of the courts studied, which appears appropriate for clients at a lower severity level. The minimum time required to complete the adult program falls in the middle range of the other courts studied, but the average time to program completion, by staff report, is among the lowest. The Cerro Gordo County Drug Court provides more frequent meetings with drug court officers than the Woodbury County court and the same frequency of status review hearings, which is less than in the other courts. The Cerro Gordo County court has the lowest required minimum length of all courts studied and has the same average time to completion as Woodbury. The average time to completion in the Cerro

Gordo and Woodbury County adult programs is lower than in the remaining courts. However, both programs provide continued supervision after graduation which may help enhance long-term outcomes.

In contrast to the Woodbury County adult program, the Woodbury County juvenile program serves the highest severity clients of the three juvenile programs studied. This court provides the highest level of staff supervision for juveniles and has many more staff resources and services for clients than the other juvenile and adult programs. However, the Marshall County program provides a high level of supervision with limited staff resources, and provides more frequent status review hearings to juvenile clients than does Woodbury. The minimum time required to complete the Woodbury County juvenile program is the same as that in the Marshall County program, which is twice as long as that of the Polk County juvenile program. The average time to program completion of the Woodbury County program, by staff report, falls between the other two juvenile courts. The client-to-drug court officer ratio is much higher in the Polk County Juvenile Drug Court than the other juvenile drug courts studied: thirty to one as opposed to ten to one. The drug court officer sees the clients less frequently than do the officers in the other two courts; however, case managers maintain frequent contact with clients and closely monitor their activities.

All three panel model courts (Cerro Gordo, Marshall, and Woodbury) primarily conduct individual rather than group panel review hearings, which do not provide the benefit of clients learning from or developing support networks with other clients. However, Marshall County juvenile clients experience group-based judge reviews every two weeks. The Woodbury County drug court is pilot testing group panel reviews, so some of their clients currently undergo group reviews whereas others undergo individual reviews.

The judge model courts vary in terms of judge consistency and availability. The Polk County Juvenile Drug Court is served by one dedicated judge who was instrumental in starting the drug court. This judge is usually able to attend staffings and preside over the entire status review hearing each week. The 4<sup>th</sup> Judicial District Drug Court lies at the opposite end of the spectrum. Judges rotate on a monthly basis, which provides little stability for clients and staff. These judges do not attend staffings and often have conflicting commitments that limit their availability for status review hearings. They often are present only for clients needing sentencing or discharge from jail. Therefore, many clients do not appear before the judge; rather their status reviews are led by the drug court team, somewhat similar to panel model court reviews. Judges in the Scott County and Polk County Adult drug court programs periodically have criminal court obligations that prevent them from attending the entire court session. In these cases, a drug court officer will lead the status review hearings, but this occurs less frequently than in the 4<sup>th</sup> Judicial District drug court. Judges in Scott and Polk County serve two year terms and in most cases each judge will serve

only one term. Staffs of courts that have had successive judges indicate each judge creates a unique environment and in many cases has made significant procedural changes that may influence client outcomes.

### *Conclusions and Considerations*

While there are many differences between the drug courts evaluated in this study, there are also basic commonalities. The general program structures and requirements are quite similar across courts. All courts administer sanctions with consideration for each client's individual needs, attitude, and circumstances. The members of all the drug court teams evaluated in this study seem to genuinely care about clients and be committed to helping clients succeed. Drug court staff commonly reported working hours well beyond the standard for the benefit of the clients and the program. This often included evening and weekend work and being on call twenty-four hours a day. Each court appeared to have one or more staff persons who function secondarily as social workers, assisting clients by not only referring them to services but at times providing transportation, advocating for services, etc. It is unknown whether this seemingly extra care is typical of staff in drug courts nationwide but may have an affect on client outcomes. While information on the presence of recovering alcoholics or addicts on drug court staff was not systematically collected, most of the drug courts studied have one or more recovering people on the staff.

Staff in all drug courts indicated a need for more comprehensive services to clients. Many courts wanted additional funding to provide basic substance abuse treatment services for clients with little means to pay. Some drug courts pay for clients' substance abuse treatment through contracts with local service agencies. One drug court coordinator estimated that his program's treatment costs would have doubled if they did not have a treatment contract. Other drug courts pay for services on an individual basis or do not have funds to pay for treatment services. Contract agreements for treatment services may be an attractive option compared to individual payment since they may be more cost-effective than fee-for-service approaches. Communication among Iowa's drug courts regarding each others' cost saving steps may be mutually helpful for many of the courts.

Another budget consideration that may have an effect on client outcome data bears mentioning. One drug court officer indicated that when client caseloads are lower, as occurs when several clients graduate, the court will accept more marginal clients into the program to prevent the cost per client from increasing significantly. However, the inclusion of several of those clients tends to yield poorer program completion rates. It may be advisable to look for such patterns when examining outcomes.

Additional resources for panel model courts to recruit and train panel volunteers appear needed. Most drug court staff members interviewed did not seem to need additional training although many have not attended drug-court specific

trainings. Time constraints prevent many staff and judges from attending drug court trainings and conferences. Conferences and seminars should be regional with local access provided where possible.

Panel and judge model courts have unique strengths and weaknesses. Close ties with the community was a strength frequently mentioned by staff of the panel model courts, all of which serve relatively small communities. The effectiveness of panel model courts in large metropolitan areas is an area for further study. The presence of a firm authority figure is a frequently mentioned strength of judge model courts. However, there are many other variables that also may affect outcomes. The personalities and guiding philosophies of the judges, panel members, and other members of the drug court team, and the presence of staff members in long-term recovery may significantly influence client outcomes.

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# **APPENDICES**

## Iowa Adult and Juvenile Drug Courts (as of 2/2008) Not Reviewed in this Study

**Name:** West Central Iowa Drug Court

**Date of Inception:** 2005

**Catchment Area:** Ida, Cherokee and Crawford Counties

**Judicial Model:** Judge

**Client Age Group:** Adults only (originally planned to take juveniles but none have met their criteria yet)

**Adjudication Model:** Post-adjudication

Contact: Michelle Means, West Central Iowa Drug Court Coordinator 712-364-3250

**Name:** 8<sup>th</sup> Judicial District Juvenile Drug Court

**Date of Inception:** 2007

**Catchment Area:** Henry and Des Moines County

**Judicial Model:** Judge Model

**Client Age Group:** Juvenile

**Adjudication Model:** Post

Contact: Deb Dice, District Court Administrator, Eighth Judicial District, Ottumwa,  
Deb.Dice@jb.state.ia.us, 1-800-452-1005 Ext. 111

**Name:** Linn County Drug Treatment Court

**Date of Inception:** 2007

**Catchment Area:** Both Linn and Johnson courts serve the 6<sup>th</sup> judicial district, though due to frequency of meetings and court sessions and travel issues, most clients are likely to be from those respective counties.

**Judicial Model:** Judge

**Client Age Group:** Adult only

**Adjudication Model:** Post adjudication model

Contact: Cathy A. McGinnis, Community Treatment Coordinator, Dept of Correctional Services, (319) 730-1234

**Name:** Johnson County Drug Treatment Court

**Date of Inception:** 2008

**Catchment Area:** Both Linn and Johnson courts serve the 6<sup>th</sup> judicial district, though due to frequency of meetings and court sessions and travel issues, most clients are likely to be from those respective counties.

**Judicial Model:** Judge

**Client Age Group:** Adult only

**Adjudication Model:** Post adjudication model

Contact: Cathy A. McGinnis, Community Treatment Coordinator, Dept of Correctional Services, (319) 730-1234

**Name:** Plymouth County Drug Court  
**Date of Inception:** 2007  
**Catchment Area:** Plymouth currently – may take Sioux Co clients down the road  
**Judicial Model:** Community Panel  
**Client Age Group:** Adult & Juvenile  
**Adjudication Model:** Adult currently post-adjudication but considering pre-adjudication as well; Juvenile court takes both  
Contact: Andrea (wks with juvenile courts in Plymouth and Clay), 712-546-1642

**Name:** Clay County Drug Court  
**Date of Inception:** currently training panel members – plan to take first clients in April, 2008  
**Catchment Area:** Clay for now – may expand to accept neighboring county clients  
**Judicial Model:** Panel  
**Client Age Group:** Currently Juvenile Only  
**Adjudication Model:** both pre and post-adjudication  
Contact: Andrea (works with juvenile courts in Plymouth and Clay), 712-546-1642  
(Plymouth and Clay are both modeling after Woodbury)

**Name:** Black Hawk County Drug Court  
**Date of Inception:** October, 2005  
**Catchment Area:** Black Hawk County  
**Judicial Model:** Judge  
**Client Age Group:** Adult  
**Adjudication Model:** Post-plea  
Contact: Pathways Behavioral Services Treatment Supervisor, Marcia Wulfekuhle, 235-2521 ext. 413, [Marcia\\_wulfekuhle@pathwaysb.org](mailto:Marcia_wulfekuhle@pathwaysb.org).

## Variable Definitions Drug Court Evaluation

### Rationale (Satel)

Impediments to engagement of individuals and community.

### Variable: Definition

**Ambient Noise/Distractio**n: Degree to which noise in or outside of the courtroom impedes the interaction between judge and client.

SCALE: Likert 1-4, with severity *and* frequency scales.

*Other possible observations:* Does the judge stop the proceedings temporarily because of the noise?

Emphasizes primacy of participant (client).

**Participant Miked:** Is a microphone provided for the client to speak into (that is turned on)?

SCALE: Yes/No/No, unnecessary

*Other possible observations:* Is the microphone necessary for effective hearing by the staff or gallery, or is it to emphasize the primacy of the client?

Relevant to intensity of judge – participant exchange.

**Closeness to Bench:** Physical distance between the judge’s primary location and that of the client.

SCALE: Measurement, in inches, of the distance between the outer edge (front corner closest to the client) of the judge’s bench/station and the outer edge (immediately in front of the client) of the client’s table or witness box or where client stands.

*Other possible observations:* Is the judge’s bench/station elevated (so that he is seated higher than the client)? Are judge and client at roughly eye level?

Dilution of judge – participant exchange.

**Participant Next to Lawyer:** Is the defense attorney seated next to the client?

SCALE: Yes/No If no, where? (Will also be designated on courtroom sketch.) Also provide brief narrative description of whether attorney involvement seemed to dilute the judge-client exchange.

Emphasizes primacy of participant.

**Who Does Judge Address First:** Does the judge address the client first?

SCALE: Always/Almost Always/Half the time/Less than half the time/Almost never  
If not client, note who usually addressed first (e.g., gallery, staff, waiting clients). If client not present when court begins, make note.

Intensity of exchange.

**Level of Eye Contact (2 aspects):**

A.) Level/frequency of eye contact from judge to client.

SCALE A: Intermittent/Sustained

B.) Level/frequency of eye contact from client to judge.

SCALE B: Intermittent/Sustained

*Other observations/considerations:* Make note if one looks at the other only while speaking but not while listening, or vice versa. Also make note if cultural factors are involved.

- Aspect of exchange. **Physical Contact (2 aspects):**  
**A.)** Does the judge make physical contact with the client?  
 SCALE A: Yes, frequently/Yes, infrequently/Never  
  
**B.)** What is the type and apparent intent of the physical contact?  
 SCALE B: Type – Hand on shoulder/Handshake/Hug  
 Intent – Consoling/Congratulatory  
  
*Other possible observations:* Record verbal congratulatory statements/demonstrations by judge and staff (e.g., judge says client deserves a hand, staff applaud)
- Opportunity to educate by example, reinforce norms and solidify group cohesion. **Participants Remain Throughout Session:** Do clients remain in court outside of the time of their individual status review?  
 SCALE: Generally Yes/Generally No  
 If Yes: Before/After/Both and Voluntary/Required (may need to ask judge)  
*Considerations based on differences between Satel's and the Des Moines reports:* Is the priority of the court to “organize a community of recovering people” -- the 3<sup>rd</sup> most common function of judges in Satel's study (for which clients remaining in courtroom would be desired) -- or to develop intimate, therapeutic relationships between the judge and individual clients (for which clients remaining in courtroom would not be desirable) – which was indicated as the goal in the Des Moines court
- Vehicle for setting example. **Arranged Seating (2 aspects):**  
**A.)** Is there special seating for clients waiting to be seen?  
 SCALE: No/Yes If yes, where?  
  
**B.)** Are there other special seating arrangements for other subgroups of clients (e.g., those awaiting sanction)?  
 SCALE: No/Yes If yes, where?
- Opportunity to reinforce norms. **Order to Cases (2 aspects):**  
**A.)** Are cases seen in a particular, pre-determined order?  
 SCALE A: Yes/No  
  
**B.)** If so, what is the rationale for the order? [*observe and ask judge*]  
 SCALE B: Narrative
- Aspect of consistency. **Fixed Sanction Algorithm:** Does the court utilize a fixed algorithm that applies prescribed sanctions for various infractions? [*observe and ask judge*]  
 SCALE: Yes/No
- Capacity for immediate response; emphasizes a sense of judicial watchfulness. **Review on Short Notice:** Does the court provide unscheduled case reviews on short notice in response to a client relapse or other emergency? [*observe and ask judge*]  
 SCALE: Yes/No  
  
*Other possible observations:* Can the client show up in court for review (i.e., requesting a

review that day) when not scheduled?

Level of engagement, opportunity to develop relationship.

**Time Spent with Participant (2 aspects):**

A.) Length of time spent in the court session with a client.

SCALE A: Average of number of minutes spent with clients by case type. *[Need to clarify case types – possibly new client orientation, normal review, jailed clients, clients to be sanctioned.]*

B.) At what interval does the participant appear? *[This, again, would be recorded by case type or other distinguishing variable.]*

SCALE B: In weeks (probably) by case type

Opportunity to develop relationship.

**Frequency of Courtroom Sessions:**

A.) At what interval do court sessions occur?

SCALE A: In weeks (probably)

Reinforces a sense of court as community.

**Judge Addresses Gallery:**

A.) Does the judge make direct statements/comments to the gallery?

SCALE A: Frequently/Infrequently/Never

B.) Are comments made to family/visitors or waiting clients?

SCALE B: Family-visitors/Waiting clients/Both

*Other possible observations:* If so, distinguish whether statements are made to family/visitors or to waiting clients; describe content of statement.

Reinforces community.

**Participant Addresses Gallery (3 aspects):**

A.) Does the participant make direct statements/comments to the gallery?

SCALE A: Frequently/Infrequently/Never

B.) Are these spontaneous or prompted by the judge?

SCALE B: Spontaneous/Judge-prompted/Both

C.) Are comments made to family/visitors or waiting clients?

SCALE C: Family-visitors/Waiting clients/Both

Level of engagement.

**Outside Contact:**

A.) Are clients allowed to contact the team outside of scheduled court sessions?

SCALE A: Yes/No

B.) Which team members' contact information is given to the clients?

SCALE B: List team member types

C.) Does judge make outside contacts with clients (e.g. DM report indicated judge visited some clients in jail, performed marriage ceremony for a client)?

SCALE C: Yes/No If Yes, list type of contact

# Drug Court Administrator Interview

Prepared by CJJP – Fall, 2005  
Modified by Iowa Consortium – February, 2007

COURT \_\_\_\_\_

DATE \_\_\_\_\_

PERSON INTERVIEWED \_\_\_\_\_

OTHER POSITION ON DRUG COURT (if one) \_\_\_\_\_

## Start-Up Process

- 1) In what year and month was the drug court established (i.e, when was the first client accepted)?
  
- 2) Briefly describe the planning efforts and developmental processes that led to the creation of this drug court.
  
- 3) Under what funding method was the drug court initially created and implemented (e.g., federal, state, or local funds; other types of funding including in-kind contributions)?

## Sustainability

- 4) What funding sources, other than those used to establish the court, if any, have been used to maintain or support your drug court efforts since its creation?
  
- 5) What plans are being made to maintain or increase this drug court's funding in the future?

## Characteristics

- 6) Is there a steering committee that oversees/informs the court? If yes, please describe the membership and how members are selected.
  
- 7) Are cases in the court heard by a judge, community panel, or both? (If judge only, skip to Q. 12)
  
- 8) If panel, what types of people are on the panel and how are/were they selected? Also, please describe the orientation they receive and any ongoing training, if provided.
  
- 9) Are final rulings made by the panel or by an overseeing judge? If judge, how are client information and panel decisions/recommendations communicated to the judge? (If panel makes final rulings, skip to Q. 11.)
  
- 10) What is the average turn-around time for rulings/sanctions to be decided by the judge and administered/communicated to clients?
  
- 11) Does the judge ever see the clients directly? If so, under what circumstances and how often?
  
- 12) Describe the relationship of this drug court to the other district/criminal courts (e.g., is a collaborative relationship established).

13) Which of the following best describes this drug court?

- Pre-trial
- Post-trial or adjudication
- Combination of pre-trial and post-trial
- Other (please describe): \_\_\_\_\_

14) Describe the primary reasons this model was chosen.

15) What is the intended target population for this court?

16) How was the target population chosen?

17) Are clients not fitting the target definition ever accepted?

18) What, if any limitations are there on whom the court may accept as a client, based on offense type, seriousness, and/or criminal history?

- No drug dealers
- No current crimes against persons or assaultive behavior
- No past crimes against persons or assaultive behavior
- Other (please describe): \_\_\_\_\_

19) How are clients screened for admission to the program, and who has final say?

20) Prior to the existence of the drug court, what would've happened to this population?

21) What are the primary sources of client referrals?

Staffing

22) List the type and number of persons on the drug court team/staff.

23) Are there drug court-specific continuing education requirements for any drug court staff? If so, for which staff positions?

24) What, if any staff members have attended drug court trainings or conferences voluntarily?

25) How often are client staffings/case review meetings held? \_\_\_\_\_

26) What members of the drug court team regularly participate in the client staffings?

27) What is the average caseload for this drug court?

28) On average, how many cases are reviewed at a given meeting? \_\_\_\_\_  
(If not sure average, please give a range.)

Program and Resources

- 29) How long is this drug court program designed to last (i.e. how long are clients expected to remain in the program for successful completion)?
- 30) Describe the reasons for the program length.
- 31) Have there been any changes to program length? If so, please describe the changes and reason(s) for the change.
- 32) Does this drug court use phases or levels to differentiate between degrees of supervision and/or treatment intensity?
- 33) If yes, please describe the characteristics of each phase and how long it takes clients to complete each phase, on average.
- 34) Does inpatient treatment time count as “in court program” time?
- 35) Upon successful completion of the drug court program requirements, what are the possible statuses or designations that could occur (check all that apply)?
- Discharge/graduation
  - Continued supervision
  - Decreased level of supervision
  - Other (please describe): \_\_\_\_\_
- 36) At what point does graduation occur?

- Upon successful completion of all drug court components
- Prior to aftercare services (if provided)
- At another point in the process (please describe): \_\_\_\_\_
- There is no graduation per se

37) Is there a ceremony or symbol of recognition for graduating/finishing clients?  
Describe.

38) List the names and types of treatment agencies and other community resources utilized by the drug court.

39) What, if any, other resources are available that are not being utilized, and why? (E.g., negative experiences with agencies; funding for alternative treatments not utilized.)

## Drug Court Team Member Interview

Prepared by CJJP – Fall, 2005  
Modified by Iowa Consortium – Fall, 2006

COURT \_\_\_\_\_

DATE \_\_\_\_\_

PERSON INTERVIEWED \_\_\_\_\_

POSITION \_\_\_\_\_

### General Questions

- 1) What do you perceive to be the mission or role of this drug court?
  
- 2) How long have you been on this drug court team?
  
- 3) During your tenure on the team what, if any, significant changes have you witnessed (e.g., staff/judge turnover, operations, policies, funding)?
  
- 4) What do you feel is this drug court's greatest accomplishment or contribution?
  
- 5) What do you feel is the court's greatest failure (or biggest problem)?
  
- 6) What do you feel is the court's greatest need?
  
- 7) Describe any advantages and/or disadvantages of the type or model of this drug court (panel vs.judge; adult or juvenile only vs. combined).

8) What are the top 3 drugs of abuse seen in this court, and in what order?

Your Preparedness

9) Have you received special training to work in drug courts? (If no, skip to Q. 12)

10) If yes, what type(s) of training?

- Computer based
- Seminar/Conference
- ICN
- Mentoring
- Telephone
- Other (please describe): \_\_\_\_\_

11) How would you rate the effectiveness of these trainings (overall)? (Likert 1-4)

- Not Effective
- Somewhat Effective
- Effective
- Very Effective

12) Were any of these trainings required for your position on the drug court? If so, which ones?

13) When you began serving the drug court, how prepared do you believe you were to fulfill your role and duties?

- Not Prepared

- Somewhat Prepared
- Prepared
- Very Prepared

Program Rules/Violations

14) Rank order (1 being most prevalent and 8 being least prevalent) the main types of program violations seen with clients in this drug court: *[If interview done by phone, ask interviewee to jot these down and then rank order them.]*

- \_\_\_\_\_ Failure to maintain employment
- \_\_\_\_\_ Program attendance
- \_\_\_\_\_ New or continuing substance abuse
- \_\_\_\_\_ New arrests or law enforcement complaints
- \_\_\_\_\_ School or work attendance
- \_\_\_\_\_ Failure to follow curfew
- \_\_\_\_\_ Peer group or other association violations
- \_\_\_\_\_ Other (describe): \_\_\_\_\_

15) Is a fixed sanction algorithm/schedule used?

16) What sanction is typically imposed after a first positive UA or admission of drug use?

17) What are the subsequent sanctions for continued drug use?

18) What other sanctions are used by this court, regardless of type of violation?

19) Are there rewards or recognition for maintaining sobriety? If yes, what are they?

20) Is community service required as a condition of participation in the drug court program? If so, what types of service are most often assigned?

21) In your experience, what are the main contributing factors in offenders failing drug court? (Check all that apply) *[Let them say first rather than reading the list.]*

- New charges
- Continued drug use
- General non-compliance
- Mental health
- Other (please describe): \_\_\_\_\_

#### Treatment Services

22) Do you feel there is sufficient continuity of therapeutic care and programming between various levels of treatment, such as inpatient to outpatient to aftercare? If no, describe the reason.

23) Do you believe the resources available to this drug court program are sufficient for the various client groups? If no, what are the insufficiencies and why?

24) Do the substance abuse treatment providers you use have problems in the following areas significant enough to impact proper provision of services for the drug court program? (Check all that apply.)

- Funding
- Staffing

- Facilities
- Other (please describe): \_\_\_\_\_

25) Who does the evaluation on the client to determine the level of treatment needed?

26) Who primarily decides which treatment modality the client goes into (e.g., does the court always use the treatment agency's recommendation, or does the court at times override the agency's recommendation)?

27) Who performs/monitors UAs on the drug court clients?

28) How is treatment participation monitored and communicated to drug court staff?

29) Does the team's (or drug court's) relationship with local treatment providers enhance or limit the effective functioning of the drug court? Please describe.

#### Associated Groups

30) Are there any organized groups associated with this drug court, such as a family or alumni group? If yes, describe the purpose of each group. (If no, end or skip to Q.34 if juvenile court.)

31) If yes, are offenders required to participate in any of these groups? Which groups, and under what circumstances?

Juvenile Court Questions

- 32) Have any parents been in the adult drug court concurrently with the minor being in the juvenile drug court?
- 33) If yes, do you view this as a pro or con in working with the child, and why?
- 34) What, if any, limitations or gaps in services exist for your juvenile clients?
- 35) Do you get the cooperation from the schools that you need for the minor to be successful? Describe.
- 36) Do you get the necessary cooperation from other juvenile service providers for the minor to be successful? If no, please indicate the type of provider, and describe.

## Judge Interview Questionnaire

(10-15 min.)

COURT: \_\_\_\_\_

DATE: \_\_\_\_\_

JUDGE/PANEL MEMBER: \_\_\_\_\_

- 1) What is your guiding philosophy for the drug court? (Or what do you see as the primary purposes/goals of the drug court?)
  
- 2) What do you consider to be the most important function of your role as judge?
  
- 3) FOR JUDGE MODEL PROGRAMS:  
Research has looked at two different types of judicial involvement. The first is an emphasis on developing and supporting a community of recovering people where clients remain in the courtroom for other clients' reviews. The other type is the development of a therapeutic relationship between judge/drug court staff and individual clients, with no participation by other clients. Which type of involvement most closely aligns with your philosophy?  
  
FOR PANEL MODEL PROGRAMS:  
Does your approach to drug court clients in any way differ from your approach to criminal court clients? If so, how?
  
- 4) What, if any, drug-court specific training have you received?
  
- 5) Are there occasions where you make contact with clients outside of court sessions? If yes, in what situations, & what type of contact (phone, in person, letter, email)?
  
- 6) What do you see as this drug court's greatest strength or accomplishment?
  
- 7) What do you see as this court's greatest weakness or area of need?

# Drug Court Observation Instrument

COURT \_\_\_\_\_ PANEL \_\_\_\_ JUDGE \_\_\_\_ ADULT \_\_\_\_ JUVENILE \_\_\_\_

PRESIDING JUDGE \_\_\_\_\_

DATE \_\_\_\_\_

## IMMEDIATE OBSERVATIONS:

1) Distance from Bench to Participant: \_\_\_\_\_ inches

Are judge/panel and client at (roughly) eye level?

YES

NO-Judge  
Higher

NO-Client  
Higher

2) Location of Client Being Seen:

\_\_\_\_\_

\_\_\_\_\_

3) Participant Microphone:

YES

NO

NO-Unnecessary

If yes, is it to demonstrate primacy of client?

YES

NO

4) Lawyer Next to Participant:

YES

NO

NA

If no, where is lawyer?

\_\_\_\_\_

Comments (e.g., dilution of exchange):

\_\_\_\_\_

5) Arranged Seating:

a) For Waiting Clients:

YES

NO

NA

If yes, where:

\_\_\_\_\_

b) For Other Client Subgroups (e.g. jailed clients):

YES

NO

NA

If yes, who and where:

\_\_\_\_\_

\_\_\_\_\_

# Drug Court Observation Instrument

**ONGOING/PROCESS OBSERVATIONS:**

6) Ambient Noise/Distractions (frequency & severity):

None	Mild	Moderate	Severe

Comments (e.g. proceedings interrupted?):

---

7) Participants Remain in Courtroom:

YES, Generally      NO, Generally

If yes, most remain...:

BEFORE      AFTER      BOTH

Is remaining allowed?

YES      NO      REQUIRED

8) Judge/Panel Addresses Client First:

Always      Almost Always      Half the time      Less than half the time      Almost Never

If not client, who:

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9) Judge/Panel Addresses Gallery:

YES-Frequently      YES-Infrequently      NO      NA

If yes, to whom are comments directed?

Family/Visitors      Waiting Clients      Both

# Drug Court Observation Instrument

**10) Participants Address Gallery:** YES-Frequently YES-Infrequently NO NA

**If yes, to whom are comments directed?** Family/Visitors Waiting Clients Both

**Are comments spontaneous or prompted by judge?** Spontaneous Judge-prompted Both

**11) Level of Judge/Panel-to-Client Eye Contact:** Minimal Conversationally Appropriate Sustained

**Clients' eye contact with judge/panel:** Minimal Conversationally Appropriate Sustained

**Comments:** \_\_\_\_\_  
\_\_\_\_\_

**12) Time Spent with Participants:** Average: \_\_\_\_\_

Range: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**13) Physical Contact by Judge/Panel to Client:** YES-Frequently YES-Infrequently NO

**Type/Intent (consoling; congratulatory):** \_\_\_\_\_  
\_\_\_\_\_

**Auditory Gestures (by anyone):** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

# Drug Court Observation Instrument

## OBSERVATIONS NEEDING INTERVIEW CONFIRMATION:

14) Intentional Order to Cases: YES NO

If yes, what is the intent of the order? \_\_\_\_\_  
\_\_\_\_\_

15) Fixed Sanction Algorithm: YES NO

16) Review on Short Notice: YES NO  
(Does the court provide unscheduled case reviews on short notice in response to a client relapse or other emergency?)

Comments: \_\_\_\_\_  
\_\_\_\_\_

17) Frequency of Courtroom Sessions: \_\_\_\_\_

18) Outside Contact: YES NO  
Are clients allowed to contact the team (other than POs) outside of court sessions?

If yes, which team members' contact info is provided to clients? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Does judge make outside contacts with clients? YES NO

If yes, what type of contact & situation? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

# **Drug Court Observation Instrument**

## **COURTROOM SKETCH**

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**COMMUNITY DRUG COURT  
FOR CERRO GORDO COUNTY**

**PROGRAM  
INFORMATION-  
CLIENT HANDBOOK**

---

**COMMUNITY DRUG COURT**  
**For Cerro Gordo County**

***Program Summary***

The Community Drug Court was designed to assist you in overcoming a drug or alcohol problem and become a law-abiding community member with pro-social attitudes and values. Success in this endeavor will require considerable effort and responsibility on your part. Participation in all aspects of this program must be a top priority in your life.

There are three major components to your participation:

***Supervision***  
***Treatment***  
***Community Panel Reviews***

**Supervision:** You can expect to be supervised at an intensive level, at least initially. This will include, but is not limited to, at least weekly contact with the probation officer, regular drug testing, and home visits. It is expected that the level of supervision will decrease as you progress through the program.

**Treatment:** You will be expected to fully participate in all treatment interventions. This may include, but is not limited to, primary substance abuse treatment, continuing care, and other referrals, as directed by the Drug Court Officer.

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**Community Panel Reviews:** You will be required to meet periodically with a panel of community members, which consists of four people. Initially, you can expect to meet with the community panel at least weekly. The role of the panel is to work with you in addressing those issues, including substance abuse, which contributed to your criminal behavior. You can expect the panel to support you fully in making progress. Conversely, a lack of progress or compliance on your part will result in sanctions that are recommended by the panel and imposed by the probation officer.

Panel members were selected to participate in this program based on their desire to see people succeed. As you know, community members have a vested interest in reduced criminal activity. Furthermore, they have agreed to volunteer a substantial amount of their personal time in providing guidance and support in your effort to be a law-abiding member of the community. You will be expected and required, as will panel members, to conduct yourself in a courteous and respectful manner at all times.

Panel reviews will be scheduled for you by the Drug Court Officer and you will be expected to attend all panel reviews and be on time. All panel reviews will be held at the Beje Clark Residential Center located at 818 15<sup>th</sup> Street SW in Mason City.

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## **Program Phases**

There are four phases in the Community Alternatives to Substance Abuse Program. Movement through each phase is dependent on your participation and progress. You must apply to the community panel for movement to another phase. Likewise, the panel may choose to move you back a phase, depending on your progress and performance.

### *Phase 1 4-5 Weeks*

- Complete a substance abuse evaluation and establish a treatment plan with the treatment provider
- Begin treatment and complete all homework assignments
- Identify triggers/relapse indicators
- Attend assigned meetings (panel meetings, treatment appointments, AA/NA, etc)
- Provide at least two weeks of clean UA's/breathalyzer tests
- Establish a case plan with the Probation Officer that specifically addresses those areas which contribute to criminal activity
- Show evidence of progress toward the goals and objectives established by the treatment provider, probation officer, and community panels
- Obtain/Maintain satisfactory employment
- Obtain/Maintain satisfactory residence

### *Phase 2 3-4 Months*

- Successfully complete primary treatment
- Develop and implement a Continuing Care/Relapse Prevention Plan
- Demonstrate established relationships that support a law-abiding, chemical-free lifestyle
- Provide at least four weeks of clean UA's/breathalyzer tests prior to phase movement
- Maintain satisfactory employment
- Maintain satisfactory living arrangements
- Attend assigned meetings
- Show evidence of continued progress toward the goals and objectives established through participation in Drug Court

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*Phase 3 2-3 Months*

- Provide eight weeks of clean UA's/breathalyzer tests prior to phase movement
- Maintain satisfactory employment
- Maintain satisfactory residence
- Maintain relationships that support a law-abiding, chemical-free lifestyle
- Attend assigned meetings
- Show evidence of significant completion of goals and objectives as established through participation in Drug Court
- Utilize Continuing Care/Relapse Prevention Plan

*Phase 4 1-2 Months*

- Satisfactorily transition to a traditional probation officer caseload
- Attend scheduled graduation from Drug Court program

- **Program Graduation-** Once you have completed all Drug Court requirements, you will be transitioned to a traditional Probation caseload. You will still be expected to continue to address your substance abuse recovery program including any ongoing continuing care and community support meetings.

Contact Numbers:

**Mike McGuire- Drug Court Officer**

Office- 641-424-0131 ext. 25

Cell- 641-425-3078

**Mark Hendrickson- Area Supervisor**

641-424-0131 ext. 21

**Beje Clark Residential Center**

641-424-3817

## ***Marshall County Drug Court***

There are four phases in the Drug Court program. Movement through the phases is based on **YOUR** behavior and **YOUR** progress toward making lasting changes. The phase system requires you to earn points in order to move through the program. Your points will be earned on a monthly basis and tabulated at each meeting with your home panel. You accumulate points until you have earned enough to move to the next phase. Note that your home panel has a number of “discretionary points” which can be awarded additionally based on attitude, motivation, and overall progress. Be advised that your failure to comply with the requirements of probation, irrespective of this phase system, can result in going back before the Court at any time.

### **Phase I**

Points required for completion: **30**

Satisfactory drug/alcohol tests for one month = 2 points  
Attend all treatment appointments for one month = 1 point  
Attend all assigned panel meetings for one month = 2 points  
Complete all assigned activities for one month = 2 points  
Maintain approved employment/student status for one month = 2 points  
Maintain approved residence for one month = 1 points  
Positive reports for treatment participation = 2 points  
Attend all probation office meetings for one month = 1 point  
Make monthly payment to the Courthouse as required = 1 point  
Make monthly enrollment fee payment as required = 1 point

\*Panel discretionary points = 0-5 per month

\*\*You must be free of drugs and alcohol for at least one month prior to moving to Phase II, regardless of number of points earned.

\*\*\* *Prior to moving to the next phase, you must complete a phase advancement request and formally request to your home panel that you be advanced to the next phase. Your home panel may require additional specific items be addressed before advancement is granted.*

### **Phase II**

Points required for completion: **90 (a minimum of 15 points must be earned from “additional activities”)**

**Demonstrate at least two new relationships that support you in being clean and sober = 3 points** (Getting and utilizing an AA/NA sponsor may count for one)  
Satisfactory drug/alcohol tests for one month = 2 points  
Attend all treatment appointments for one month = 1 point  
Attend all assigned panel meetings for one month = 2 points  
Complete all assigned activities for one month = 2 points

Maintain approved employment/student status for one month = 2 points  
Maintain approved residence for one month = 2 points  
Positive reports for treatment participation = 2 points  
Attend all probation office meetings for one month = 1 point  
Make monthly payment to the Courthouse as required = 1 point  
Make monthly enrollment fee payment as required = 1 point

**\*\*Additional activities.** You can earn an additional 5 points per month by engaging in any of the following activities regularly and as approved by your home panel:

- Attend a service club (i.e. Optimists, Jaycees, etc.)
- Attend AA/NA and work with a sponsor
- Volunteer at a non-profit organization
- Take available classes of interest in the community
- Other structured activities as approved by your home panel

\*Panel discretionary points = 0-10 per month

\*\*You must be free of drugs and alcohol for at least two months prior to moving to Phase III, regardless of number of points earned.

\*\*\* *Prior to moving to the next phase, you must complete a phase advancement request and formally request to your home panel that you be advanced to the next phase. Your home panel may require additional specific items be addressed before advancement is granted.*

### **Phase III**

Points required for completion: **90 (A minimum of 25 points must be earned from "additional activities")**

**Demonstrate at least two new relationships that support you in being clean and sober = 3 points**

Satisfactory drug/alcohol tests for one month = 2 points  
Attend all treatment appointments for one month = 1 point  
Attend all assigned panel meetings for one month = 2 points  
Complete all assigned activities for one month = 2 points  
Maintain approved employment/student status for one month = 2 points  
Maintain approved residence for one month = 2 points  
Positive reports for treatment participation = 2 points  
Attend all probation office meetings for one month = 1 point  
Make monthly payment to the Courthouse as required = 1 point  
Make monthly enrollment fee payment as required = 1 point

**\*\*Additional activities.** You can earn an additional 8 points per month by engaging in any of the following activities regularly and as approved by your home panel:

- Join a service club (i.e. Optimists, Jaycees, etc.)
- Attend AA/NA and work with a sponsor

- Volunteer at a non-profit organization
- Take available classes of interest in the community
- Other structured activities as approved by your home panel

\*Panel discretionary points = 0-10

\*\*You must be free of drugs and alcohol for at least three months prior to moving to Phase IV, regardless of number of points earned.

\*\*\* *Prior to moving to the next phase, you must complete a phase advancement request and formally request to your home panel that you be advanced to the next phase. Your home panel may require additional specific items be addressed before advancement is granted.*

#### Phase IV

Points required for completion: **30**

- Demonstrate an ability to **maintain** sober relationships = 3 points
- Satisfactory drug/alcohol tests for one month = 2 points
- Attend all assigned panel meetings for one month = 2 points
- Complete all assigned activities for one month = 2 points
- Maintain approved employment/student status for one month = 2 points
- Maintain approved residence for one month = 2 points
- Attend all probation office meetings for one month = 1 point
- Make monthly payment to the Courthouse as required = 1 point
- Make monthly enrollment fee payment as required = 1 point

\*Panel discretionary points = 0-10

\*\*You must be free of drugs and alcohol for at least four months prior to graduation, regardless of number of points earned.

#### Phase system rules

1. **NO** points will be earned during periods in jail or the Violator Program. Participants being released from jail or the Violator Program will resume Drug Court with zero points in the phase they were in prior to being placed in custody.
2. Points will accumulate as prescribed during periods in the residential center.
3. No points will be earned during periods of pending Court action.
4. The Drug Court probation officer will keep record of accumulated points. This record will be the only one used for purposes of determining phase movement.
5. Points do not "carry over" from one phase to the next. Each phase starts with "zero" points.

6. *To move to the next phase, a phase advancement request must be completed and formally presented to the home panel. The home panel may require additional specific items be addressed before advancement is granted.*

#### Definitions

**Discretionary Points** are points given by the home panel to a participant as a reward for positive behaviors related to attitude and motivation.

**Treatment** is defined as an intervention intended to help change behavior. Treatment could include, but is not limited to, substance abuse treatment, mental health treatment, and Day Program classes.

A **Satisfactory Drug/Alcohol** test is conducted on the day assigned and comes back negative for all substances tested. A “dilute” test is not satisfactory, no matter the circumstance.

**Additional Activities** occur in the community at scheduled times, with regularity, and create opportunities to interact with others not using drugs or alcohol.

## Points

**New relationships (0 or 2 points)**- Unfortunately, rarely if ever used. We have typically only provided these points when a new, pro-social relationship is verified. This has usually been accomplished through collateral contacts and the client bringing the person with them to Drug Court to meet the panel. ~~Should not count as points for this, but would count as meaningful AA/NA relationships.~~

**Satisfactory drug/alcohol tests (0 or 2 points)**- This means all tests were clean, non-suspect, and provided on the day assigned. I have made exceptions when a client has a justifiable reason for missing a UA ahead of time and makes arrangements to do one as soon as possible.

**Attendance at treatment appointments (0 or 1 points)**- Treatment would be defined as any formal interventions (substance abuse, mental health, CAP, CALM, Cognitive, Moving On, Voc. Rehab., etc.) It is not AA/NA, church, etc. Those items can be scored under "additional activities". This one can be difficult to monitor due to number of appointments, etc. Generally, if I have no information that a group or session has been missed, I give them the points. Internal intervention attendance can be checked in ICON.

**Positive reports for treatment participation (0 or 1 point)**- Again, a difficult item to verify and maintain. I do check periodically on treatment performance, but again, in the absence of any negative information, I would award the point.

**Attendance at panel meetings (0 or 2 points)**- With no exceptions, this includes attendance at all assigned panel meetings for the previous month.

**Completion of assigned activities (0 or 2 points)**- Reserved for any specifically assigned tasks by the panel, such as checking into their license, joining the Y, etc. Do not give points here for things that get points elsewhere (i.e. AA/NA meetings, attending treatment, etc.).

**Approved employment status (0 or 2 points)**- Pretty self-explanatory. Individuals would not earn points when unemployed or obviously underemployed.

**Approved residence (0 or 2 points)**- Again, self-explanatory. Points are given when person resides in residential center.

**Attendance at PO meetings (0 or 1 point)**- I use some discretion here in terms of whether a client simply blows off an appointment or calls ahead to reschedule. In cases where folks are maintaining contact as directed and making arrangements to reschedule as necessary, I award the points.

**Courthouse payments (0 or 1 point)**- For any payments made since last home panel meeting. I generally focus on the probation charges for these points. However, the advent of collections court means that folks are making payments and the Clerk may be putting them on old numbers. This is probably the most time consuming aspect as I check ICIS every Wednesday for those folks that are seeing their home panel that evening. People who have paid in full earn the point every month.

**Enrollment fee payments (0 or 1 point)**- Again, only counts for payments since last home panel. Once the fee is paid in full, they earn the point every month.

**Additional Activities points (0 or 5 points)**- This is clearly the most difficult item to score. The intent is that folks are involved in some activity in the community on a regular basis and that it creates opportunities to interact with others not using drugs or alcohol. The most common example is AA/NA in that the person attends regular meetings weekly

and works with a sponsor. Another example could be church or a service club. The primary issue is whether you view it as a strong support system that will benefit people beyond probation. Besides being hard to score, this is hard to get clients to commit to and follow through with. Admittedly, I use a good deal of discretion here based on whether or not the person seems to be making progress.

**Panel discretion points (0 to 5 points in Phase I; 0 to 10 points in Phases II, III, and IV)**-These points are left totally to the discretion of the panel. Each one defines differently the criteria they apply to determine points. Sometimes they need a mediator, but generally can come to a consensus. The difficult part is making sure you get the points from them before they leave for the evening. These are the only points, besides total points, that are left blank on the panel members' progress report. The panels usually assign these points after they have met the client. This is generally not done in the presence of the client.

**Total points**- The cumulative amount of points in that phase.

\*\*Points are tabulated from the time of, and including, the last home panel meeting to just before the next home panel meeting.

\*\*Points only need be tracked and calculated for the home panel. A progress report without points is provided the panels that are not the home panel.

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**Marshall County**  
**Juvenile Drug Court**  
**Participant family introductory Packet**

**Mission Statement**

***It is the mission of the Marshall County Juvenile Drug Court program to reduce crime and increase public safety by providing each client the substance abuse treatment, education, and supervision necessary to reduce substance abuse and to become a healthy, functioning member of their family and community.***

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This packet is designed to help you become aware of what is expected to you as a participant in the Marshall County Juvenile Drug Court program.

The Marshall County Juvenile Drug Court is a collaborative effort with the Office of Juvenile Justice and the Communities of Marshall County, to work with juveniles who have substance abuse issues as related to criminal activity in the community. The following pages of this document will be a guide for you as a participant in the Marshall County Juvenile Drug Court program.

Family involvement is vital for the successful completion of the Marshall County Juvenile Drug Court participants. Each member of the Marshall County Juvenile Drug Court team will be responsible to help promote and encourage participation of each participant's individual family members. Each aspect of the participants program will be involved in promoting and encouraging family involvement.

The treatment representative at SATUCI will work with the participant and their families to develop appropriate options for the family members so they may become further involved in their child's treatment efforts. This will be beneficial not only for the family member so that they may become familiarized in Substance Abuse issues their child my encounter but for the child as well so that he/she will know they have support in their recovery process from family members.

The Juvenile Court Judge will also show an interest in developing a positive relationship with the families and to display his enthusiasm to the families that are present throughout the process the child encounters while participating in Marshall County Juvenile Drug Court program. This will enhance both the child's and the Parent's willingness to participate to their fullest abilities. The Judge will determine what incentives or sanctions, if any, would be appropriate on an individual basis.

The involvement the Community Panel members display during the weekly drug court sessions is a vital part of the program. Family involvement is encouraged throughout this juncture in the program as well. The panel members will be encouraged to offer incentives and sanctions, if any. The family members who are present throughout the process are encouraged to hold the child accountable as well while participating in the Marshall County Juvenile Drug Court program.

The Juvenile Court Officer will discuss the importance of the families' involvement at the time of the initial intake process. The Juvenile Drug Court Officer will review these suggestions and invite the families to be a part of their child's recovery process. The JCO and the JDCO will periodically communicate their appreciation to the families who have regular involvement in the program.

Below you will find the Marshall County Juvenile Drug Court program phases. This is to aid you in developing a healthy and responsible lifestyle. The phases will be used by the Juvenile Court Judge, the community panels and the drug court officer. Please review them and begin to instill these simple tasks in your daily life.

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**Marshall County Juvenile Drug Court**  
**Phases**

**Phase 1                      Stabilization                      1 to 3 months**

All participants will complete the following before being moved to the next phase of the program:

- Submit to random supervised urinalysis testing up to 3 a week and produce at least 1 month of clean UA's **Participant must cease all using.**
- Attend all meetings and appointments as directed.
- Evaluate the need for extended substance abuse treatment.
- Follow the recommendation of the Substance Abuse evaluation.
  - Attend all scheduled appointments, both individual and groups.
  - Maintain a positive attitude while participating in all scheduled appointments.
- Show evidence of extended support from external sources such as SATUCI, mental health if applicable, school teachers, principals etc.
- Follow family (home) rules.

**Phase advancement requirements**

In order to advance to the next phase you will be required to write a paper explaining what you have done to advance, and explain the progress you feel that you have made in dealing with the problem of drugs and alcohol. The paper should include above mentioned topics. This will provide the Community Panels the adequate information so they can determine if you have met the Phase 1 requirements. It is suggested that the paper you write be at least 1 page in length so it adequately answers any questions that your panel may have and will be read by you at your home panel.

**The next scheduled Status review date we will review the recommendation with the Juvenile Court Judge to officially be advanced to the next phase.**

**Phase 2                      Acceptance                      3-6 Months**

All participants will complete the following requirements to advance to Phase 3:

- Participant will submit to random UA's- UA's will be given up to twice per week.
- Rebuild family relationships.
- You must continue to follow the recommendation of the Substance Abuse evaluation.
  - Attend all scheduled appointments, both individual and groups.
  - Maintain a positive attitude while participating in all scheduled appointments.

- Participants must be involved in at least one pro-social community or school activity to facilitate healthy peer/support groups.
- The participant developed a leisure skill plan
- The participant developed a relapse plan
- Participant should be 90 or more days sober to advance to the next phase

**Phase advancement requirements**

In order to advance to the next phase you will be required to write a paper explaining why you feel you deserve to advance. The paper should include above mentioned topics. This will provide the Community Panels the adequate information so they can determine if you have met the Phase 2 requirements. The paper you write will be 2 pages in length and will be read by you at your home panel.

**The next scheduled Status review date we will review the recommendation with the Juvenile Court Judge to officially be advanced to the next phase.**

**Phase 3                      Maintenance/Aftercare                      2-3 Months**

All participants must complete the following terms of aftercare to graduate from Drug Court:

- Follow the directives of the aftercare plan and maintain a substance free life.
- Participant will submit to random supervised UA's. UA's will be given at least once weekly.
- Participant must have employment and/or be actively enrolled in an educational institution. (High school, alternative school, GED)
- Participant will attend aftercare meetings pursuant to the aftercare plan.
- Participant must maintain involvement in at least 1 community or school activity. Participant must have at least 90 days without use prior to discharge.
- Post acceptance plan.
- The participant is following his/her leisure-skills plan
- The participant is following his/her relapse plan.

**Phase advancement requirements**

In order to advance to the next phase you will be required to write a paper explaining why you feel you deserve to advance. This will provide the Community Panels the adequate information so they can determine if you have met the Phase 3 requirements. The paper you write will be 3 pages in length and will be read by you at your home panel and at Status reviews. This paper will determine if you the participant have met graduation requirements.

**Recovery                      continuing/ongoing**

All participants will complete the following for the future:

- Define role of and identity of support system.

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**The next scheduled Status review date we will review the recommendation with the Juvenile Court Judge to officially be advanced to the next phase.**

**Drug Court Graduation requirements**

Graduation will be obtained when the following steps have been successfully completed.

1. Each phase is completed successfully and necessary paperwork is filled out.
2. Each participant's home community panel signs a graduation recommendation and it is given to the Judge.
3. The participant completes his treatment requirements as outlined by SATUCI.
4. The participant has been drug free throughout the 2<sup>nd</sup> and 3<sup>rd</sup> phases of Drug Court.
5. The participant knows and understands his/her warning signs for substance abuse
6. The participant has followed his/her probation successfully.
7. The juvenile Judge reviews the clients' progress and approves the Community Panels and the Drug Court Officers recommendation for graduation.

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### Miscellaneous Information

- Juvenile Court Services- 1-641-753-3481
- SATUCI- 1-641-752-5421
- Halfway House- 1-641-753-5571
- Excel High School- 1-641-752-4645
- Marshalltown High School- 1-641-754-1130

- Office hours are Monday through Friday 8:00am – 4:30pm unless otherwise noted. If you have an emergency please feel free to contact me outside of the office via my cell phone.
- Community panel meetings are on Wednesday evenings at the halfway house. You will be assigned at least a 15 minute time slot between 6:30pm and 9:15pm. Although the presence of a parent(s) is encouraged at all panel meetings, at least one parent is encouraged to attend their child's HOME community panel.
- A status review meeting with the Juvenile Court Judge is held every other Thursday afternoon at 3:45pm, unless informed otherwise. The status reviews take place on the 4<sup>th</sup> floor of the Marshall County Courthouse unless you are notified otherwise.
- All curfew times are at 9:00pm unless otherwise approved by the Juvenile Court Judge, Community panel, and Drug Court Officer. All curfew calls must be made to the Drug Court Officers cell phone.
- Drug testing is supervised and random. Various forms of drug/alcohol testing will be used in the Juvenile drug court program. Testing for substances will be used by providing urine, sweat, saliva or breath tests

\*\*\*\*All times are subject to change. You will be notified of these changes as quickly as possible.

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## **Woodbury County Community Drug Court** **Participant Handbook**

A Criminal or Juvenile Court has ordered you to complete the Woodbury County Community Drug Court Program. The following information is provided to assist you in completing this program. It is hoped you will follow this guide and trust the process will work for you.

Substance abuse is often times the result of a **breakdown of boundaries and discipline in a person's life**. This lack of appropriate boundaries can be caused by a multitude of factors that result in patterns of behavior that prove to be unhealthy, dysfunctional and often times dangerous. The Drug Court Program will seek to empower you and those around you to correct these negative patterns and enable you to meet the challenge of life without ingesting harmful substances.

**The anticipated length of the Drug Court Program is one year.** Should you adhere to the program quickly and stay clean throughout you could complete the program sooner. If you experience problems adjusting to the program it naturally will be longer than a year in duration.

The three basic components of the Drug Court Program are: **ACCOUNTABILITY, EDUCATION and GROWTH.**

### **ACCOUNTABILITY**

You will first be required to complete a **Drug Court Agreement (See Forms Section)**. This agreement is a binding contract that must be followed. It would be helpful to refer to the contract often to remind yourself of your obligations and responsibilities.

Failure to follow the terms and conditions set forth will allow the Drug Court to sanction you. **Sanctions could include any of the following:**

- 1.) Make up required appointments, meetings or assignments.
- 2.) Completion of additional assignments; i.e.; more meetings, increased appointments, essays, etc.
- 3.) Perform additional hours of community service
- 4.) Increased drug/alcohol testing
- 5.) Increased Drug Court appearances
- 6.) Drop in Drug Court Program levels
- 7.) Increase in treatments contact hours
- 8.) Placement in detention, jail or violators program
- 9.) Placement in an inpatient treatment facility
- 10.) Termination from the Drug Court Program

(Additional sanctions not listed may be considered and levied by the Drug Court as deemed appropriate such as house arrest, electronic monitoring, curfew, no peer association directives or any other legal sanctions not herein mentioned)



- 
- 5) Attend all educational functions, job functions and other healthy commitments
  - 6) Obey all laws and probationary terms
  - 7) Adhere to a substance free lifestyle

**Phase 3: Maintenance/Aftercare                      3-6 Months**

**All participants must complete the following criteria to advance to Phase 4:**

- 1) Develop a transition plan to maintain a substance free lifestyle
- 2) Participate in recovery meetings as directed by the Drug Court and/or treatment provider
- 3) Make measurable progress to towards completion of community service, restitution and/or court fines/fees
- 4) Participate with identified sponsor / mentor as directed by the Drug Court and/or treatment provider
- 5) Attend all educational functions, job functions and other healthy commitments
- 6) Obey all laws and probationary terms
- 7) Adhere to a substance free lifestyle

**Phase 4: Recovery                      Continuing and Ongoing                      2-3 Months**

**The following minimum requirements must be met for graduation from the Drug Court Program:**

- 1) Adhere to a substance free lifestyle
- 2) Continued participation in recovery meetings
- 3) Develop a leisure and relapse plan
- 4) All community service and restitution paid (Juvenciles)
- 5) Attend all educational functions, job functions and other healthy commitments
- 6) Completion of all treatment requirements
- 7) Complete a Pre-graduation Questionnaire
- 8) Exit interview with Drug Court, treatment provider and Drug Court Officer
- 9) Attendance at Graduation

**The following criteria will be used when considering termination from the Drug Court Program:**

**Drug Court Termination Criteria**

When considering termination of a participant from the Drug Court Program the primary panel should take into account, but not be solely limited to the following factors:

- 1.) **Re-arrest-** The nature of the crime, the circumstances under which it was committed and its seriousness. Crimes against persons should be sufficient cause for termination.
- 2.) **Treatment Issues-** The adherence of the client to the treatment process, unabated continued use of illegal and/or harmful substances, duration of the client's involvement in treatment, the treatment providers prognosis regarding the likelihood of successful completion of treatment and the presence of significant obstacles to successful completion of treatment.
- 3.) **Probation Issues-** Client's obedience to probation terms and conditions, client's attitude regarding drug court directives, efforts to complete those directives and the duration of involvement in the drug court program.
- 4.) **Other Issues-** Presence of over-riding mental health issues, family practices that continually inhibit recovery and continued evidence of an inability or unwillingness to make healthy choices regarding associates, peers, family, employment and school.

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## **PREDICTORS OF RELAPSE**

**PRE-TREATMENT FACTORS** (Account for 10-20% of Relapses) – These factors may be useful in identifying individuals at higher risk of relapse.

**Demographic Characteristics:** Age has been found to consistently relate to recidivism. The younger a youth at the time of a first conviction, the more likely he or she is to be reconvicted. Gender and socioeconomic status are also consistent predictors – being female decreases and low socioeconomic status increases the likelihood of reconviction.

**Personal Characteristics:** Personality factors associated with recidivism include impulsivity, poor social adjustment before arrest, projected hostility, suspiciousness, and social nonconformity. Some of these characteristics may be viewed as underlying traits that are less likely to change with intervention. Others reflect the offender's interpersonal style may be amendable to change through skill training. These include poor social adjustment, aggressiveness, and lack of empathy. Cognitive skill training has been effective in reducing impulsiveness and aggressiveness.

**Criminal History:** The existence and extent of a criminal background have been associated with a greater risk of relapse for adults as well as adolescents. For juvenile offenders, if the crime committed is a felony or status offense, rather than a misdemeanor, they are more likely to reoffend.

**Severity of use/dependence:** Particularly for drugs other than alcohol, the greater the dependence or extent of use, the greater the chance that relapse will occur.

**Education:** Adolescents who experience academic failure, who are not enrolled in school, or who have little involvement in education are at a higher risk of relapse. A history of poor school behavior and truancy are also related to repeated offense behavior, and recidivists demonstrate lower levels of pretreatment school achievement. Delinquent youth returning to the community who have a history of school problems are at particularly high risk to reoffend. This suggests that school factors are particularly important predictors of recidivism, and aftercare programs should include attention to academic assessment, appropriate school placement, and assistance in academic performance and in changing negative attitudes about school.

**Occupational and family instability:** Those who fail to hold down a job or who have an unstable family situation are more likely to relapse. The pretreatment family environment of juvenile offenders is related to the likelihood of being reconvicted of crimes. Family variables related to recidivism include the general quality of home conditions, a negative atmosphere in the home, parent criminality, and the presence of delinquent siblings in the home. Important targets of aftercare services are also suggested by some of these pretreatment factors. Programs that provide training in social and self-control skills; help youth take personal responsibility for their actions; address drug use, school problems, and family problems; and help build social peer groups and discourage a return to delinquent associations have promise for reducing continued crime.

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### **DURING TREATMENT FACTORS (Account for 15-18% of Relapses)**

**Time in Treatment:** Those who receive treatment for less than three months are at greater risk of relapse. However, motivation may be a confounding factor in this. It may be that those who are more motivated do better in general. Young people who remain in treatment at least three months are at lower risk of relapse than those who leave treatment prior to three months. This holds true for juvenile offenders as well. Recidivists tended to be incarcerated for longer lengths of time.

**Drug use/crime during treatment:** Those who continue to use or who engage in criminal activities during the treatment period are at higher risk for relapse. Juvenile delinquents who have fewer disciplinary incidents while incarcerated and who do not belong to youth gangs while institutionalized are at a decreased risk of relapse.

**Negative expectations of outcome:** People who have positive expectations of the treatment experience, think it is going to be good to be drug free, and have less positive experiences with the effects of drugs are less likely to relapse after treatment. Juvenile offenders are also more successful when they have positive expectations about their chances of parole success. Youth's own predictions of their chances of parole success are useful in predicting success.

**Voluntary vs. mandatory treatment entry:** Mandatory treatment is often associated with legal situations that keep people in treatment but not necessarily off drugs. Mandated treatment may ensure that they will not drop out of the program, but those who enter a program voluntarily seem to be at reduced risk for post-treatment relapse. Given the perception that they have made the choice themselves can help reduce the risk of relapse for some adolescents.

**Characteristics of the treatment staff:** In situations where the treatment staff lacks experience or does not use practical problem solving techniques, adolescents may develop a low regard for staff opinions and may therefore be at increased risk of relapse.

**Lack of special services:** Group home programs based on behavioral principles appear to be more successful than other group home programs in reducing drug use during treatment; however, additional services appear to be needed to maintain these reductions following treatment. The provision of special services such as school, recreational, vocational, and contraceptive counseling services appears to reduce adolescents' risk of relapse during treatment.

**Noninvolvement of parents:** When parents are not involved in the treatment process, adolescents are at higher risk for relapse. In addition, the involvement of both parents in the process reduces problem behaviors during treatment and increases the possibility for an adolescent completing the course of treatment.

### **POST-TREATMENT FACTORS (Account for 50% of Relapses)**

**Family:** Treated abusers who return to families with drug-using family members, with marital conflict or conflict between parents and children, where abstinence is not supported, and where family cohesion is low, are at greater risk of relapse. Parents who are willing to have their delinquent child return home decrease the risk of that child's recidivism.

**Peer:** Drug use by friends or co-workers, the social pressure to use drugs, and having few friends who support staying sober make relapse after treatment more likely. Having nondelinquent friends and associates in the post-treatment environment is an important predictor of post-treatment success for juvenile offenders.

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**Isolation:** In studies on heroin, cocaine, and polydrug abuse, those clients who have small social networks and who may be going to work or school but avoid any social interaction are at elevated risk of a relapse.

**Lack of involvement in productive activities:** Lack of involvement in productive activities, including work and school, and an inability to handle the demands of working and establishing social contacts place adolescents at a higher risk of relapse for drug abuse and recidivism. Becoming involved in active participatory leisure activities (not watching TV or just talking) with nonusing family members and friends is also associated with lower relapse rates.

**Negative emotional states (depression, anger, anxiety):** When these symptoms are present there is a higher risk of relapse. 25-22% of all post-treatment relapse incidents occur in situations where these emotional states are present.

**Negative physical states (pain, physical discomfort, and drug cravings):** When these symptoms are present there is a higher risk of relapse. Post-treatment relapse incidents occur in situation where these physical conditions are present. Thoughts and cravings about drugs and drug use are associated with relapse. After a relapse has occurred, these feelings seem to rise sharply for relapsers.

**Skill deficits (social skills, coping skills, and drug refusal/avoidance skills):** Deficiencies in skills to refuse or avoid high-risk situations can increase the risk of relapse. In addition, the inability to cope with stress or anger and an inability to successfully resolve conflicts have all been associated with higher rates of relapse.

**Negative life events:** Major sources of stress such as divorce, death, major illness, family upheaval, and loss of employment are related to higher rates of relapse.

**Lack of ancillary services:** Lack of access to adequate financial resources, a place to live, and employment or vocational counseling and training are related to higher rates of relapse.



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**Woodbury County Community Drug Court**  
**Pre-Graduation Questionnaire**

As you prepare to enter Phase 4 of the Woodbury County Community Drug Court Program please begin to fill out the following questionnaire as it is a requirement for graduation from the program. When you have completed this form submit it to your Drug Court Officer for approval by the Drug Court.

It is to your advantage to provide as much detail and information as possible.

1. How long have you been clean and sober ?
2. Do you have a 12-step sponsor?
3. How long have you had this sponsor?
4. What step are you working on currently?
5. Has having a sponsor been helpful to you?
6. Describe your relationship with your sponsor.
7. Besides your sponsor, describe your support system.
8. Are you currently employed?
9. How long have you been employed/unemployed?
10. What kind of work do you, or could you do?
11. Is there room for advancement where you work?
12. Your educational plans or goals?
13. Describe-your life prior to your entry into the Drug Court program.
14. Describe how your life is different today after Drug Court.
15. What did you like most about the Drug Court Program? Why?
16. What did you like least about the Drug Court Program? Why?
17. Please describe, in detail, the following:
  - \* Two of your 90-day goals
  - \* Two of your 6-month goals
  - \* Two of your 1-year goals
  - \* Do you have "life goals?" How do you intend to attain them?
18. Do you intend to stay alcohol\drug free? How?
19. Do you intend to remain crime free? How?
20. Describe how your recovery has affected your relationships with others (include your husband/wife, children, parents, sister/brothers, and close friends).
21. How will you handle stressful situations?
22. Where do you live? Who lives with you?
23. What 12 step meetings are you attending
24. Do you have any commitments in the 12 step community?

**POLK COUNTY JUVENILE DRUG COURT**



120 2<sup>nd</sup> Avenue  
Des Moines, IA 50309  
515-286-2238

**Emergency Contact:**

The curfew expectations on the task list will stay the same. Each client will check in with his/her assigned case manager as required. If there is an emergency, there will be an assigned emergency contact person. The number to call is **286-2238**. Your call will automatically be forwarded to the emergency contact person. If for some reason you cannot reach the emergency contact person, the backup is the Juvenile Court Officer, 480-8504.

**Extensions:**

Extension requests are required to take place 24 hours in advance. **NO EXCEPTIONS!** The emergency contact will not grant curfew extensions. Please plan ahead.

**UA Requirements:**

Participants are required to drop random UAs at the request of either the case manager or the emergency contact. Be prepared to make arrangements if you are contacted to do so.

**Drug Court Staff:**

JCO-Sean Marvin .....480-8504  
Jackie Schweers.....971-3202  
Tom Sellers.....971-7573  
Nicky Davis.....971-0373  
Emergency Phone.....286-2238

**Drug Court  
Incentives and Sanctions**

**INCENTIVES**

**If you comply with the treatment program and successfully complete what is expected of you during each phase, the Juvenile Drug Court Personnel may, at their discretion, order one or more of the following:**

- ~Decrease drug testing
- ~Decreased court appearances
- ~Decrease in community service hours
- ~Extension of curfew
- ~Decrease in the time in phase (ONLY IN PHASE II AND III)
- ~Decrease AA/NA meetings
- ~Decreased supervision by Drug Court
- ~Group activities
- ~Phase completion certificates and graduation ceremonies
- ~Graduation from the phase
- ~Graduation from the program and case closed
- ~Other incentives can be imposed by the Drug Court Team when deemed appropriate

**SANCTIONS**

**If you fail to comply with the treatment program, the Juvenile Drug Court Personnel may, at their discretion, order one or more of the following:**

- ~Increase drug testing
- ~Writing of an essay on Juvenile Drug Court related topic
- ~Increased participation in outpatient individual and/or group counseling sessions
- ~Increased court appearances
- ~Increased AA/NA meetings
- ~Increased community service
- ~Extended term on program
- ~Rephase to an earlier phase of treatment
- ~Increased curfew
- ~Electronic monitoring and/or house arrest
- ~Commitment to community residential treatment for a specified period of time
- ~Placed in residential treatment
- ~Incarceration in the Polk County Juvenile Detention Center
- ~Termination from the Drug Court Program
- ~Pace Violator Program
- ~Other sanctions can be imposed by the Drug Court Team when deemed appropriate

## PHASE MOVEMENT CRITERIA

### Phase one to Phase two: Stabilization

- Must have sponsor
- Must be able to explain the first three steps of the twelve steps.
- Must be attending random U/A drops as required.
- Must be student or have acceptable employment
- Must have completed a written Relapse plan, an action plan, and a Jessness
- Must have completed three months from the first ISP Drug Court session.
- Must be working on Community Service
- Must attend a minimum of three twelve-step meetings per week.

### Phase Two to Phase Three: Progress in Recovery

- Must have completed three months in phase two.
- Must be employed full time or full time student
- Must be working on recovery and be able to explain recovery.
- Must be involved in Aftercare or continuing care.
- Must be in frequent contact with Sponsor
- Must be able to fully explain the first three steps and report accurate progress.
- Must be working on Community Service
- Must attend a minimum of three twelve-step meetings per week.

### Phase Three to Phase Four: Continued Recovery

- Must have been in phase three for three months
- Must continue full time employment or student status
- Must have started paying on Supervision fee.
- Must be working on recovery and be able to explain step four.
- Must continue Community Service
- Must continue After Care or Continuing Care
- Must attend a minimum of three twelve step meetings per week
- Must continue contact with sponsor

### Phase Four to Phase Five: Recovery Understood Pre Graduation

- Must have Supervision fee paid in Full
- Must have Community Service completed
- Must have moved to Phase five prior to the last graduation to graduate in the next class.
- Must attend Alumni Group every other week.
- Must attend a minimum of three twelve-step meetings weekly.
- Must maintain contact with sponsor

Phase Five to Graduation: Graduation

Must attend three twelve step meetings per week

Must maintain contact with sponsor

Must attend random U/A 's.

Must attend Alumni Support Group

Must see Probation Officer as scheduled

Must have moved to Phase Five prior to the last graduation to graduate with the next class. If you have moved after the last graduation you will move after the next graduation.

These are guidelines not guarantees. You may stay longer in any phase. You may be moved back any phase for rule violations also.

FOURTH JUDICIAL DISTRICT  
DEPARTMENT OF  
CORRECTIONAL SERVICES

DRUG  
COURT  
HANDBOOK

Revised 3-15-06

FOURTH JUDICIAL DISTRICT  
DEPARTMENT OF CORRECTIONAL SERVICES

DRUG COURT  
HANDBOOK

## **PHILOSOPHY**

Chemical dependency is seen as a primary disease characterized as chronic, progressive, and fatal. It includes a process of progressive degeneration in physical, psychological, behavioral and social functioning. In the final stages the lifestyle is affected. The syndrome is marked by loss of control over thought process, emotional management, social judgment, and behavior. These indicators are believed to be present in some degree of severity in all persons recovering from alcoholism and drug dependence.

Recovery from chemical dependency is a life-long process that requires daily disciplines. Often the transition from substance abuse to recovery is difficult for the recovering person and those close to him/her.

We want you to be successful in this program and the rest of your life. To be successful will require effort and responsibility. **YOUR PARTICIPATION IN ALL ASPECTS OF THE DRUG COURT PROGRAM MUST BE A TOP PRIORITY IN YOUR LIFE.**

## **GOALS FOR THE PARTICIPANT**

1. To improve life skills necessary to maintain a successful recovery program.
2. To identify and overcome personal barriers to a successful recovery program
3. To develop a supportive peer and family home environment to assist in the recovery process.

4. To become involved in the community as a law-abiding member with pro-social attitudes and values.

## **PARTICIPANT RIGHTS**

This program supports and protects the fundamental human, civil, constitutional, and statutory rights, which include but may not be limited to the following:

1. Impartial access to guidance and direction regardless of race, religion, sex, ethnicity, sexual orientation, age or handicap.
2. Personal dignity will be recognized and respected in the provision of all treatment and rehabilitation programs.
3. Individualized case management planning, treatment and progress review will be provided.
4. Treatment will be provided within the least restrictive environment possible based on your level of involvement and participation.
5. Your opinions, recommendations and grievances may be directed to you PPO, who will respond promptly and in such a way as to preserve and foster the therapeutic aspects of conflict resolution and problems solving.

## **INVOLVEMENT OF YOUR FAMILY OR SIGNIFICANT OTHERS**

Family and significant others will be expected to voluntarily complete certain requirements as outlined by the Probation and TASC Officers prior to having any continued involvement with their Drug court member. These requirements may include a substance abuse evaluation with the requirement to complete treatment, 12-step attendance, attendance at co-dependency classes, as well as attendance at Drug Court activities and court sessions. No

contact orders will be in effect until lifted. They may be lifted for a special occasion, after which the order remains in effect. These orders bar any contact--verbal, written and third party.

Drug Court clients who are not in a relationship at the time of admission will be expected to refrain from one while involved with the Drug Court Program during the first year of sobriety. The focus must be on you.

## **RULES**

1. You have a responsibility to be on time for all scheduled appointments. You will be briefed on the dates, times, and places of all appointments in advance. Forgetfulness and/or lack of transportation are not acceptable excuses.
2. You will be expected to remain abstinent from all alcohol, illegal drugs and narcotics, and any other mood-altering chemical not prescribed by your physician, while involved in this program. Failure to honor this requirement may be cause for discharge and your return to the court for final disposition of your case.
3. You may never attend parties or go to any place where drugs may be present or alcohol is being used (bars, concerts, picnics, etc.).
4. Drug and alcohol screens are a normal part of this program. Come to each appointment prepared to provide a urine sample for testing.
5. If your drug field test is positive you will have confirmation laboratory testing completed at your expense, unless a confession of use is signed by you. A positive UA test may be cause for you to be immediately taken into custody and placed in jail.
6. You will be involved in the Drug Court for a minimum of two years. Graduation will be based on your level of compliance with all expectations and requirements.
7. You have or soon will be referred for substance abuse treatment. You are expected to abide by all the policies, rules, and requests of the providing agency. Failure to comply with any and all referrals may result in your

referral to a more structured treatment program or discharge from this program and return to the court for final disposition of your case.

8. In the latter stage of your treatment process, or after treatment is completed, you may be referred to other life skills building workshops, vocational development programs, family/parenting/relationship development courses and GED classes if academically possible. Only GED classes certified by the State of Iowa or Nebraska will be approved. GED Programs found on the Internet are not approved. These are all considered a part of the rehabilitation process and failure to comply may result in referral back to the court for final disposition of your case.
9. Community service, treatment fees, payment of fines or costs, victim restitution, and any other court ordered requirements must be completed as scheduled.
10. A \$250.00 supervision fee and \$360.00 Drug Court fee must be paid. A payment schedule will be negotiated with your PPO.
11. You will have regularly scheduled appointments with your probation/parole officer and TASC officer. Since these appointments will be known well in advance, forgetfulness or lack of transportation will not be a valid excuse. Requests for excused absences must be coordinated with your PPO or TASC officer in advance.
  - a. We may consider the following requests for an excused absence:
    - 1) Illness
    - 2) Hospitalization (verified by your Doctor)
    - 3) Change in work schedule (verified by your employer)
    - 4) Death in your family
    - 5) Vacation if pre-approved by your PPO, with no more than one session missed
  - b. Other requests may be denied or considered unexcused.
12. You are required to actively participate in all appointments or other sessions integrated into this program.

13. No physical or verbal abuse, threats, or **foul language** will be permitted. Such behavior will be cause for automatic discharge and referral to the court for final disposition of your case.
14. You will be required to attend and obtain sponsorship in one of the sobriety support groups, such as AA, NA, CA, etc. Written verification of your attendance will be required.
15. You are expected to wear appropriate clothing. You may be dismissed from an appointment or other session, without attendance credit, if you chose to wear any clothing with drug or alcohol symbols, logos, etc, see through blouses or shirts, or other clothing specifically identified by your PPO or TASC officer as inappropriate. Further, wearing jewelry as a part of body piercing is discouraged. New piercings and tattoos are strongly discouraged.
16. This is an action-oriented program. The actions must be yours, not others.
17. TRANSPORTATION: Public transportation is available in the metro area. Personal cars are a privilege that may be granted by phase advancement, after proof of title, registration, a valid driver's license, and insurance.
18. CELL PHONES: Cell phones may be possessed and used by clients, with Drug Court Team/Probation Officer approval. However, by entering Drug Court you agree that at any time the Probation Officer, Law Enforcement, or the TASC Officer may take your cell phone and download the numbers called and call any of them.
19. Your person, vehicles, and personal property are subject to search and seizure with or without a warrant when reasonable grounds to suspect contraband exists.

## PROGRAM PHASES

This is a four-phase program. The various phases are meant to be a continuum of treatment and rehabilitation. You may be moved forward or backward on this continuum based on successes or needs, as identified by the Case Management Team, in order to insure that you have received the maximum benefit from each phase of development.

Curfew times are set to allow you the time to work on your reading, journals, talk with your sponsor, think about the day just passed, and to get the rest you need in order to be up in time for drug testing and work the following morning. Your guests are also bound by the curfews and must leave. Further, these curfew times override any other curfew times set by any residents.

1. Phase I: Stabilization (Minimum of 3 Months)
  - A. Attend substance abuse treatment and participate fully. This may include detoxification, medically monitored hospitalization, residential, outpatient, and/or individual counseling.
  - B. Meet with your PPO and/or TASC Officer as scheduled at the central probation/parole office, 801 S. 10<sup>th</sup> St., CB.
  - C. Come to these meetings prepared to provide a urine specimen for urinalysis (UA). Failure to provide the required specimen will be considered a positive test.
  - D. Maintain safe housing and peer relationships. You will not be allowed to reside or associate with individuals who use alcohol or any form of illegal drug or narcotic.
  - E. Unannounced visits to your residence by the Drug Court staff and/or members of the local Police Department may be expected. BAC/UAs may be collected at any time. Other monitoring systems such as curfew and electronic monitoring may be required.
  - F. Maintain regular full time employment, full time student status if approved, or some combination thereof.

G. Attend all Drug Court hearings as scheduled. (The Judge may order exceptions, but normally these hearing will be held weekly in Phase I, bi-weekly in Phase II, every three weeks in Phase III, and monthly in Phase IV).

2. Phase II: Recovery (Minimum of 3 Months)

- A. Attend substance abuse treatment as directed and fully participate, which may include residential, outpatient, continuing care, relapse prevention, self-help groups, individual counseling, and/or halfway or three quarter way house placement.
- B. Meet with your PPO and/or TASC Officer as scheduled at the central office.
- C. Paragraph 1 C, D, E, F and G, of this section apply to this phase as well.
- D. Attend and fully participate in community service or life skills building workshops, vocational development programs, family/parenting/relationship development courses, GED classes as directed. These are all considered a part of the rehabilitation process and may be added to your case management plan as any needs are identified. If in the past you were required to complete the Drinking Driver's School, the Batterer's Education Class, or any other special class, they must be completed before your graduation.

3. Phase III: Abstinence (Minimum of 3 Months)

- A. Attend and fully participate in any substance abuse treatment, which may include outpatient, continuing care, relapse prevention, self-help groups, individual counseling, halfway or three quarter way house placement.
- B. Meet with your PPO and/or TASC Officer as scheduled at the central office.

- C. Paragraph 2 C, and D, of this section apply to this phase as well.
  - D. Must complete a recovery plan involving your sponsor, probation and TASC officers for Phase 4 and your life after Drug Court
4. Phase IV: Maintenance (Minimum of 3 Months)
- A. Continue or complete any substance abuse referrals such as relapse prevention, individual counseling, and/or self-help groups.
  - B. Meet with your PPO and/or TASC Officer as scheduled at the central office.
  - C. Paragraph 2 C and D, of this section apply to this phase as well.

## **PHASE ADVANCEMENT**

As stated above, these phases are designed as a continuum. Continued or resumed use of any alcohol or drugs may require that you return to a previous phase for additional treatment or higher level of supervision. As you progress through these phases it is expected that you will accept more responsibility for yourself as well as reaching out to your peers in the Drug Court to help them through the difficult stages.

To graduate from the program you must have been fully compliant for at least three months, with no positive UA/BTs for the last six months, and have completed all court ordered requirements. Graduation occurs at the end of Phase 4. (This may be subject to future change). Upon successful completion of Phase 4, the Court will dismiss all applicable legal charges.

## **GRADUATION REQUIREMENTS**

The Drug Court is at least an 18-month commitment. The length of your involvement in Drug Court may be increased or reduced depending upon your progress in the program.

The following criteria will be used to determine your eligibility for graduation:

1. Successful completion of substance abuse treatment.
2. Successful completion of all referrals.
3. Successful completion of each Phase.
4. Six months clean and sober, i.e., no positive UA/BT or admitted drug use.
5. No new felony, assaultive or drug/alcohol related arrests.
7. Payment of all treatment costs, Drug Court and supervision fees, RCF fees, costs and restitution, etc.

## **JOB SEARCH**

You must provide written documentation for all job search contacts and interviews. A minimum of eight (8) job searches per day is required until you are employed. Failure to do so will result in increased contacts the following day. You will be required to report for community service each day at 1:00 p.m. unless you have a job interview in the afternoon. If employed and you lose your employment, after two weeks of continued unemployment, you must perform community service work every afternoon until employed.

## FRATERNIZATION POLICY

**Outside fraternization or socialization is not allowed between Drug Court members of the opposite sex, unless married.** This includes giving rides, going to lunch, etc. Failure to comply with this policy can and will result in loss of privileges and/or incarceration. We are fully aware you may be engaged in treatment/12-step/Drug Court activities with members of the opposite sex, however, **you may not take this as permission to socialize outside of those activities in any way.**

## FURLOUGHS

Definition: Travel for the purpose of visiting family and other events and places approved by your probation officer. When outside the Omaha/Council Bluffs metro area you must have a travel permit

1. Furloughs will only be allowed to a location, which has been verified and approved by your PO in advance.
2. Furloughs will be allowed on Friday & Saturday, **OR** two consecutive days during the week for those clients who work on the weekend.
3. Phase 1 – **NO** furloughs  
Phase 2 – 1 time per month  
Phase 3 – 2 times per month  
Phase 4 – Weekly furloughs
4. Client **MUST** attend a local 12-step meeting during their out-of-county furlough – **NO EXCEPTIONS!**
5. A furlough request **MUST** be completed **NO LATER THAN WEDNESDAY NOON** for weekend travel and **NO LATER THAN 48 HOURS PRIOR** for those furloughing during the week.
6. **NO FURLOUGHS WILL BE ALLOWED IF YOU OWE COMMUNITY SERVICE WORK.**

## **TRAVEL**

Phase 1 – **NO TRAVEL ALLOWED**

Phase 2 – **NO TRAVEL ALLOWED**

Phase 3 – Day trips within the district/area

Phase 4 – Overnights – with individual discretion as it relates to the client

### **FURLOUGHS/TRAVEL ARE PRIVILEGES TO BE EARNED**

### **LOSS OF FURLOUGHS/TRAVEL MAY BE USED AS A SANCTION WHEN APPROPRIATE**

**TRAVEL PERMITS ARE REQUIRED ON ALL TRIPS OUTSIDE OF THE OMAHA/COUNCIL BLUFFS METRO AREA OR WHEN YOU ARE IN A TREATMENT FACILITY. ALL TRAVEL PERMITS REQUIRE A COUNTER SIGNATURE FROM LOCAL LAW ENFORCEMENT.**

## **RCF PLACEMENT**

1. If unemployed, you will job seek from 8-12 AM, Monday through Friday. After returning to the RCF for lunch, you will work with Mr. Auffart, Community Service Coordinator, from 1-4 PM.
2. You are required to complete assigned in-house chores as directed by staff. You will be required to turn in a completed accountability sheet every Sunday evening without fail. Missed signatures/lost sheets will result in disciplinary action.
3. You will keep your room in inspection order at all times. Failure to do so will result in disciplinary action.
4. You will shower daily and maintain an acceptable level of personal hygiene. This includes washing all dirty laundry on a weekly basis.
5. Each Drug Court client is required to turn in a budget on Sunday evenings without fail.

6. If you are not working the night shift, you will be required to be OUT of your room by 8 AM and in the multi-purpose room awaiting daily tasks as directed by staff. Once your assigned tasks are completed and if you do not have a scheduled job interview, you will report to John Auffart for community service work. There will be no sleeping after 8 AM unless you work the night shift.
7. Drug Court clients authorized by Mr. Schroder or Drug Court Supervisors will complete a transportation log for each and every time the vehicle is operated. Failure to do so will result in disciplinary action or the loss of said driving privileges.
8. Drug Court clients are not to go to the administration building without prior authorization from Arthur, Keith, or Pat.
9. All Drug Court clients will comply with all provisions of the 4<sup>th</sup> RCF rulebooks.

## **SAMPLES OF POSSIBLE INFRACTIONS/SANCTIONS**

Absconding – Prison

New Charges - Prison if convicted of any crime where the sentence is from 1 year up. If clients are convicted of simple misdemeanors, we would expect them to serve their jail time and return to Drug Court.

Missed appointment - Four hours community service

Missed 12-step - Two hours community service

Unexcused Drug Court Absence - Warrant to be issued

Positive UA/BAC - Taken into custody

Failure to Attend Mandatory Activities - Loss of furlough privileges

Curfew Violation – 8 hours community service work/jail/relocate to RCF

All other infractions will be reviewed on a case-by-case basis. The following is just a sampling of possible infractions:

Falsified UA	Fired or quit job without notifying PO
Forged 12-step documentation	No contact violations
Failure to journal	Continued unemployment
Fraternization violation	

FOURTH JUDICIAL DISTRICT  
DRUG COURT

PARTICIPANT HANDBOOK RECEIPT

I, \_\_\_\_\_, CERTIFY THAT I HAVE  
RECEIVED A COPY OF THE FOURTH JUDICIAL DISTRICT  
DRUG COURT HANDBOOK, REVISED EDITION 12-28-05;  
THAT I HAVE READ IT OR HAD IT READ TO ME, AND  
THAT I UNDERSTAND ALL THE CONTENTS, RULES, AND  
EXPECTATIONS.

\_\_\_\_\_  
Drug Court Participant

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Date

- Verification and documentation of full-time employment, education, stable
- home environment and stable transportation.
- UA testing as assigned.
- Community service if still applicable.

Time frame of at least 90 days.

Level V

Requirements:

- Drug court contact once per month.
- UA testing as assigned.
- Continue 12 step meetings, maintain contact with sponsor and attend continuing care (as scheduled).
- Must attend an alumni support group meeting.

Time frame of at least 180 days.

Additional Comments:

Sanctions can be imposed at any level of the program, as deemed necessary by the Drug Court Judge.

As a client of the Intensive Supervision Court Program, participant may be moved back and forth (recycle a level) through the level system based on performance or through staffing.

Some clients choose to come every w/e when not required cuz they get something out of it.

**INTENSIVE SUPERVISION COURT PROGRAM**

Presiding Judge

David Schoenthaler  
(563) 326-8608

Probation Officers

Michael R. Fitzsimmons  
(563) 322-7986 ext. 1217

Jeff Fall  
(563) 322-7986 ext. 1218

County Attorney's Office

William E. Davis  
County Attorney  
(563) 326-8600

Amy DeVine  
Assistant County Attorney  
(563) 328-4130

Cell 650-1353  
Nancy Scherler  
Legal Assistant  
(563) 326-8207

Defense Attorney

Garth Carlson  
Cathy Cartee  
(563) 323-2500  
" " 359-3591

Treatment Providers

Al Stouffer  
(563) 322-2667



*Drug Court -*



**INTENSIVE SUPERVISION COURT PROGRAM**

### About the Program

The Intensive Supervision Court Program (Drug Court) is an 18 month program composed of a team from the Seventh Judicial District Court, Scott County Attorney's Office, Community Corrections and the treatment community. Goals of the Scott County Drug Court are:

- To provide assessment, education and treatment to drug offenders geared toward providing rehabilitation and long term recovery.
- To diminish continued involvement in criminal activity through participation in treatment and effective use of rewards and sanctions where appropriate.
- To monitor compliance in treatment and Court orders through regular Court interaction and community supervision.
- To promote positive interactions between the offender and the Courts, community, and family.
- To retain individuals in the program until successful completion of probation.
- To provide a cost-effective alternative to incarceration through community monitoring and treatment based services.

### Drug Court Mission Statement

The mission of the Drug Court is to give addicted offenders an intensive and holistic opportunity to recover from their addiction and avoid continued involvement in crime. We accomplish this by effectively assessing the risk and needs of the individual offender, by providing a continuum of treatment, services, supervision, rewards, and sanctions via a non-adversarial partnership between the Court, probation officers, counselors, and attorneys.

### Eligibility Standards

- Iowa residents, 25 years or older, charged with a misdemeanor or felony

with a history of abusing drugs and/or alcohol.

- Defendants currently on probation for felonies or misdemeanors and who have been arrested on new charges or have a report of violation pending.
- Defendants who do not have a history of violence, weapon offenses, sex offenses, or mental health issues.
- Defendants who engage in criminal conduct to support their addiction.
- Defendants who have a history of addiction which has caused significant health and/or financial problems.
- Those who are willing to make a commitment to changing their lives by doing whatever it takes.

### Level I

#### **Treatment Options:**

- Detoxification, residential, medically monitored, outpatient, and/or one-on-one counseling.
- Twelve step meetings.

#### **Probation Requirements:**

- Drug court weekly.
- 10:00 PM curfew.
- Electronic monitoring service and/or surveillance checks.
- Documentation of entry and completion of treatment referral.
- UA testing 2 times per week.
- If applicable, participant begins to complete assigned community service hours.

*Time frame of at least 90 days.*

### Level II

#### **Treatment Options:**

- Residential, inpatient/outpatient, relapse, aftercare, self help groups, one-on-one counseling and/or halfway house.

- Twelve step meetings.
- Participant maintains verified contact with support group sponsor.

#### **Probation Requirements:**

- Drug court bi-weekly.
- 10:00 PM curfew
- Electronic monitoring service and/or surveillance checks.
- Employment/educational/GED classes.
- Obtain/maintain safe housing and peer relationships.
- UA testing once per week.

*Time frame of at least 90 days.*

### Level III

#### **Treatment Options:**

- Outpatient, relapse, aftercare, self help groups, halfway house and/or one-on-one counseling.

#### **Probation Requirements:**

- Drug court bi-weekly.
- 10:00 PM curfew
- UA testing as assigned.

*Time frame of at least 90 days.*

### Level IV

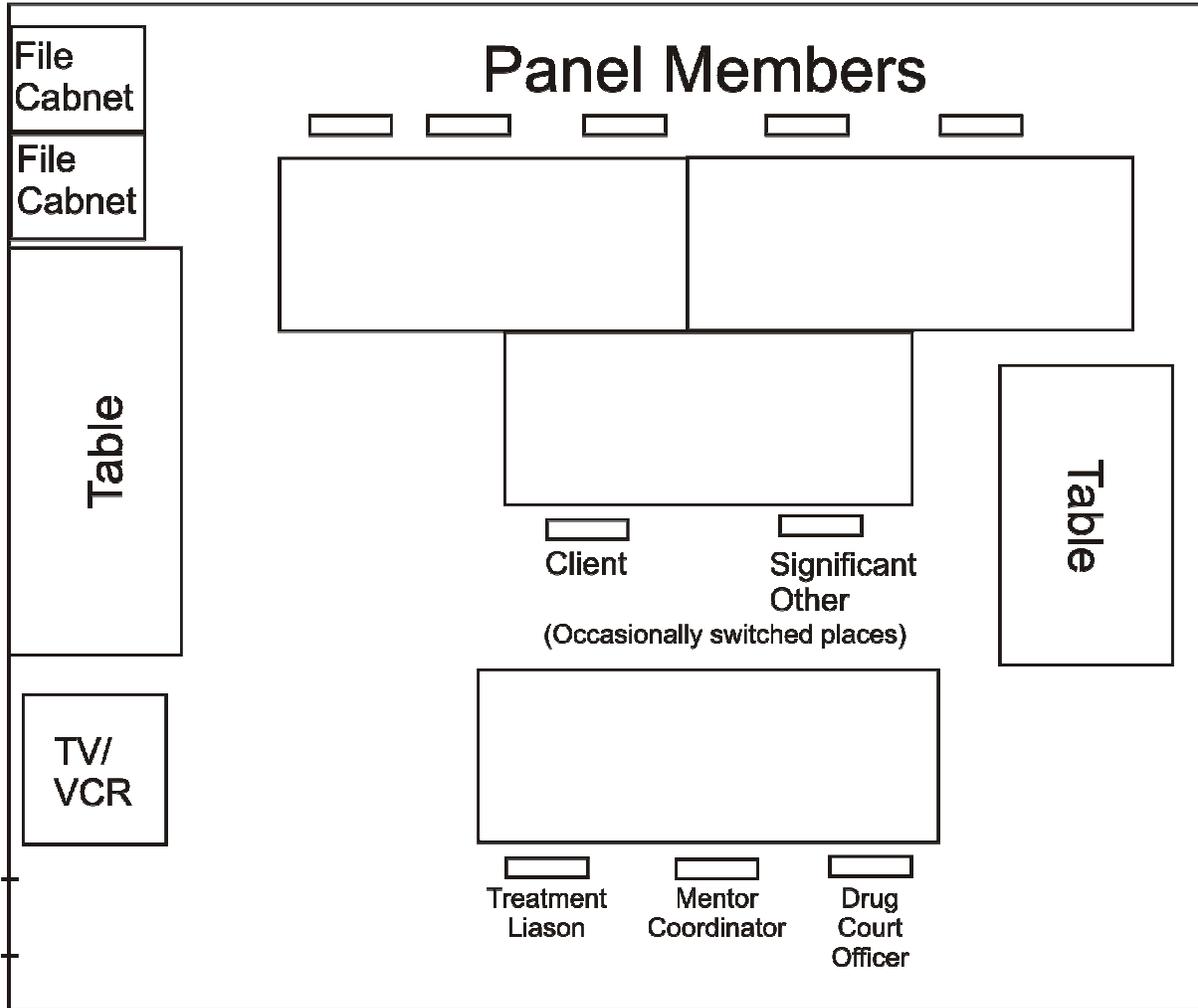
#### **Treatment Options:**

- Same guidelines as in Level III except participant will also have completed or is about to complete all treatment and has

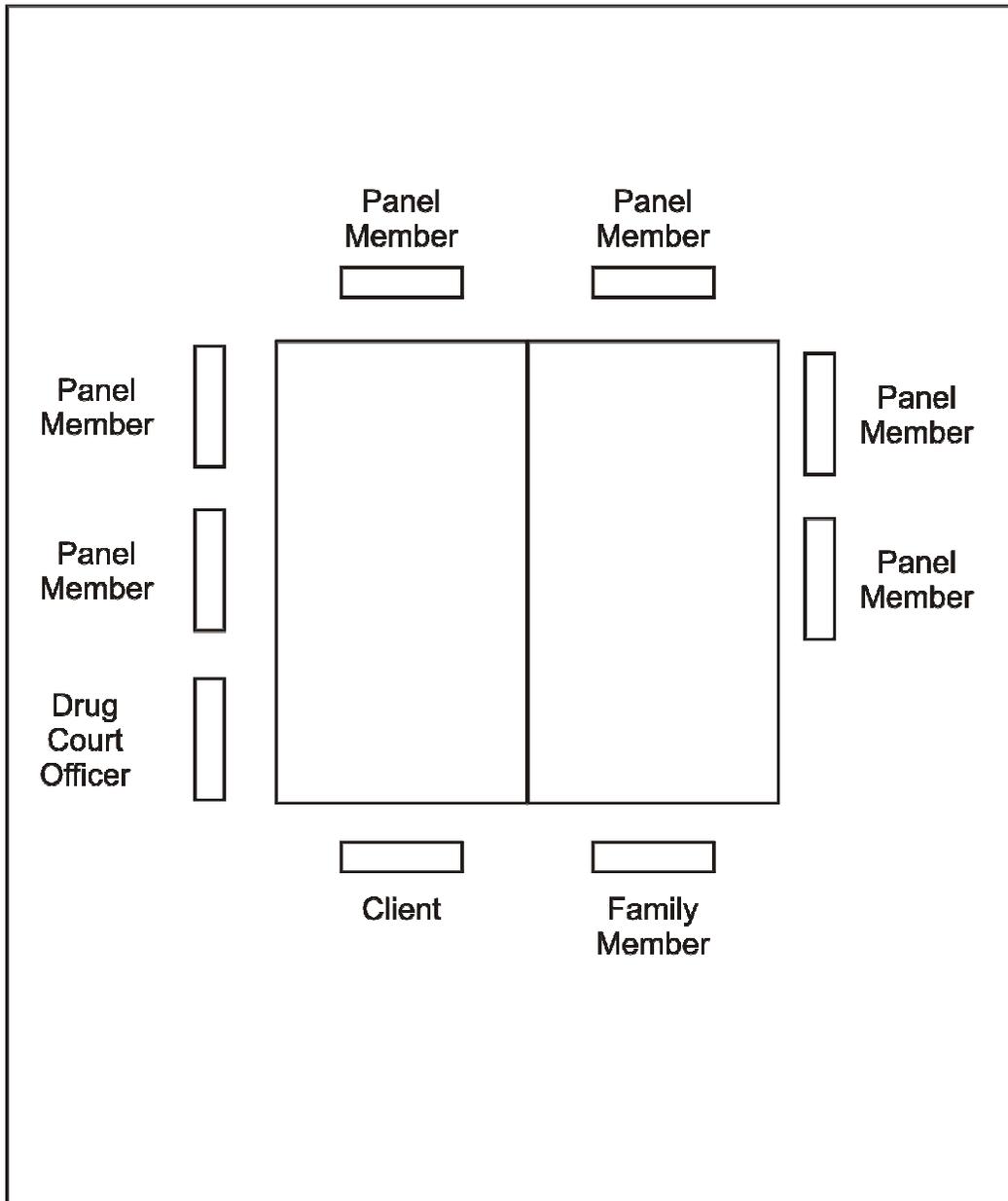
#### **Probation Requirements:**

- Drug court once every third week.
- Court ordered requirements to be completed.
- Curfews to be determined by performance.

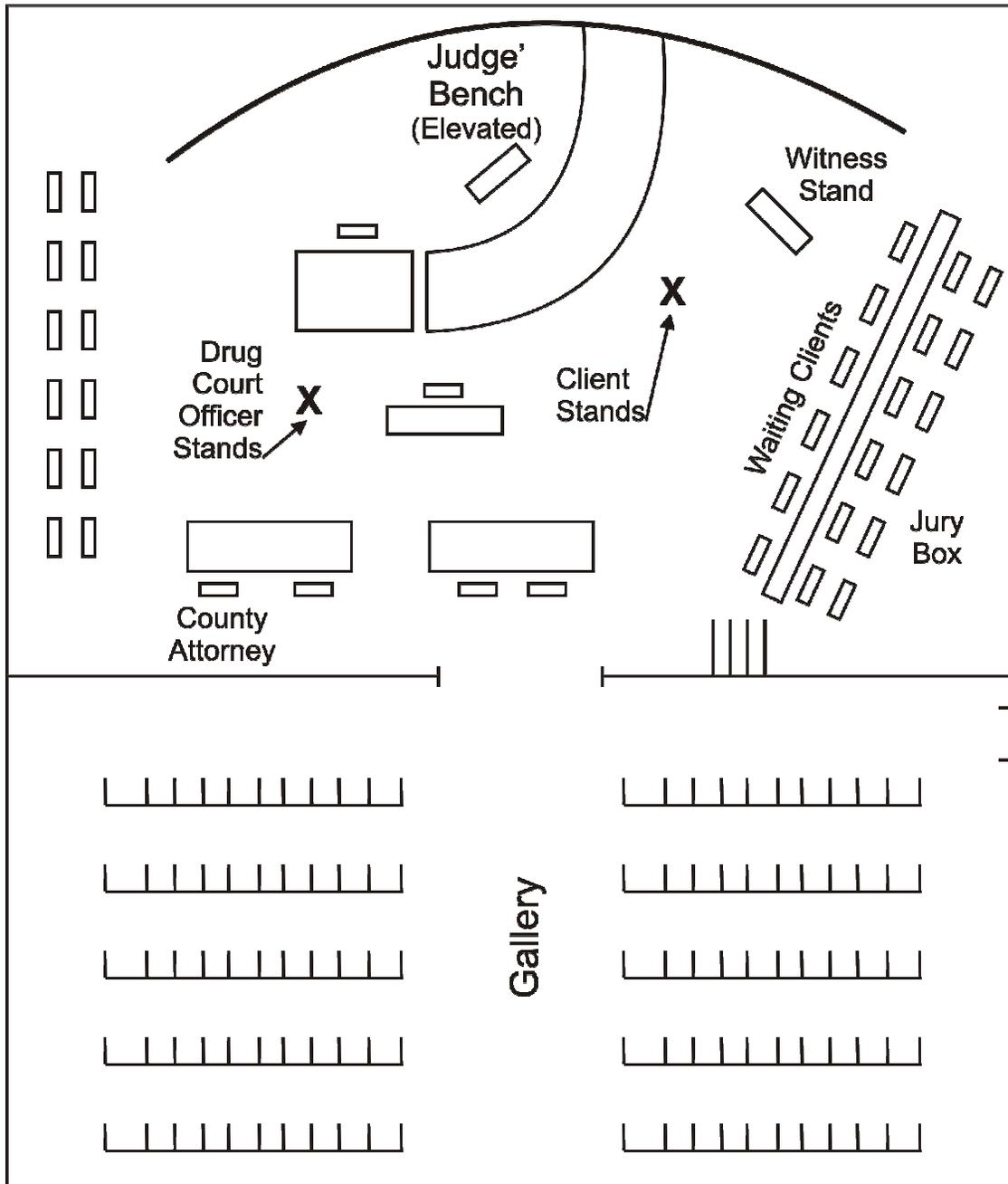
Cerro Gordo County Drug Court – RCF Conference Room



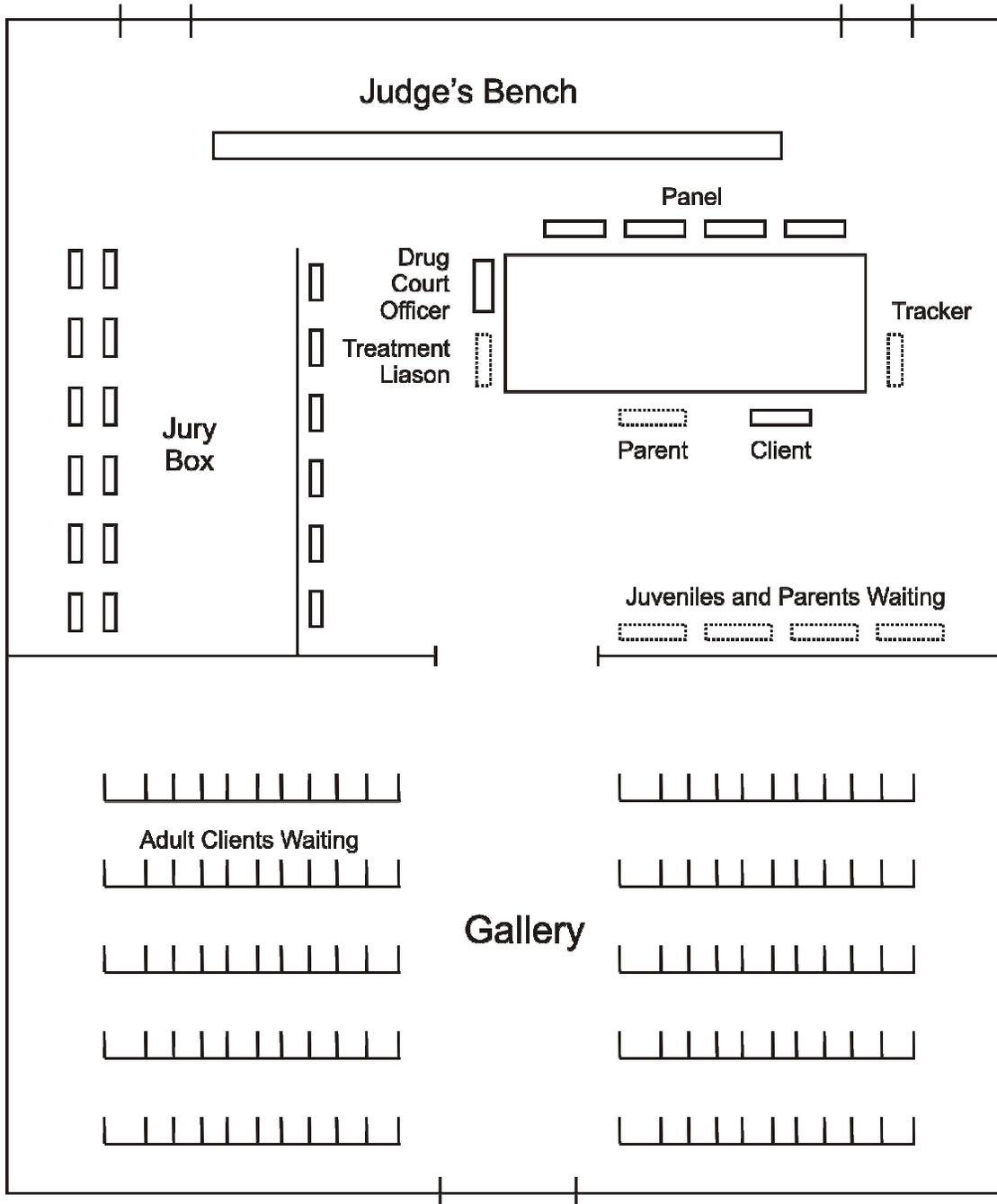
Marshall County Drug Court – RCF Conference Room



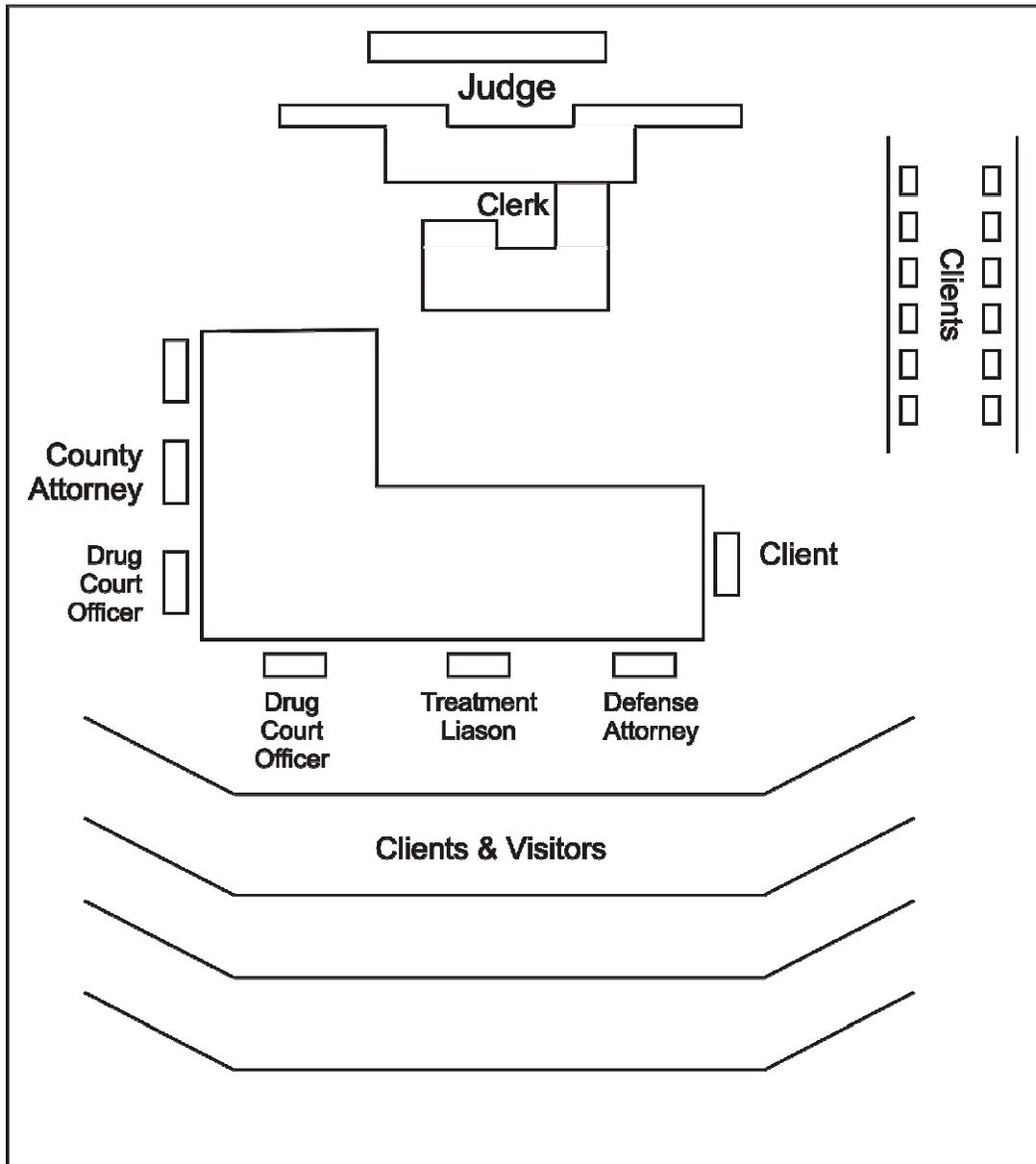
Marshall County Drug Court – Juvenile Judge Reviews (Marshall County Courthouse)



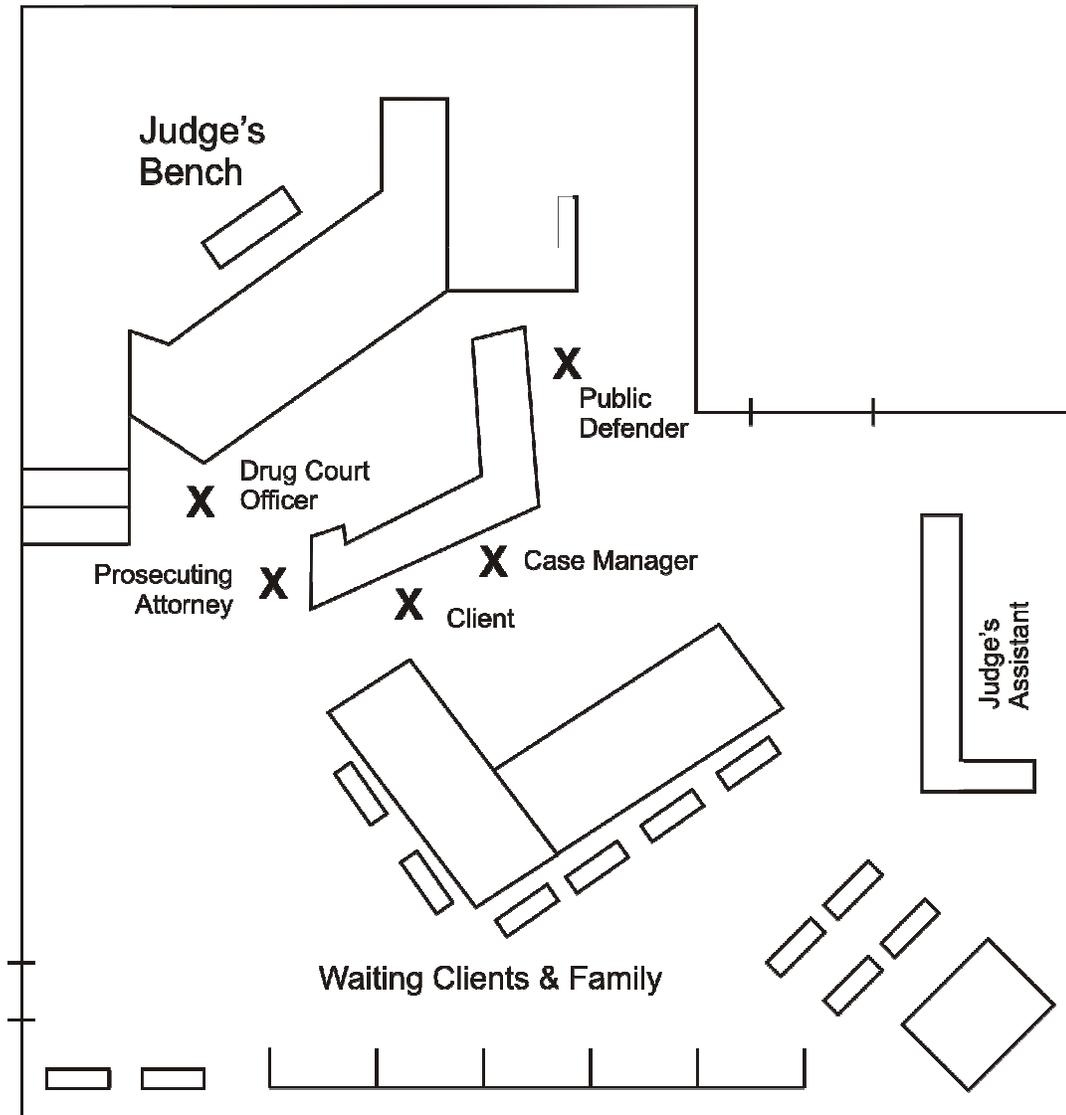
Woodbury County Drug Court (Woodbury County Courthouse)



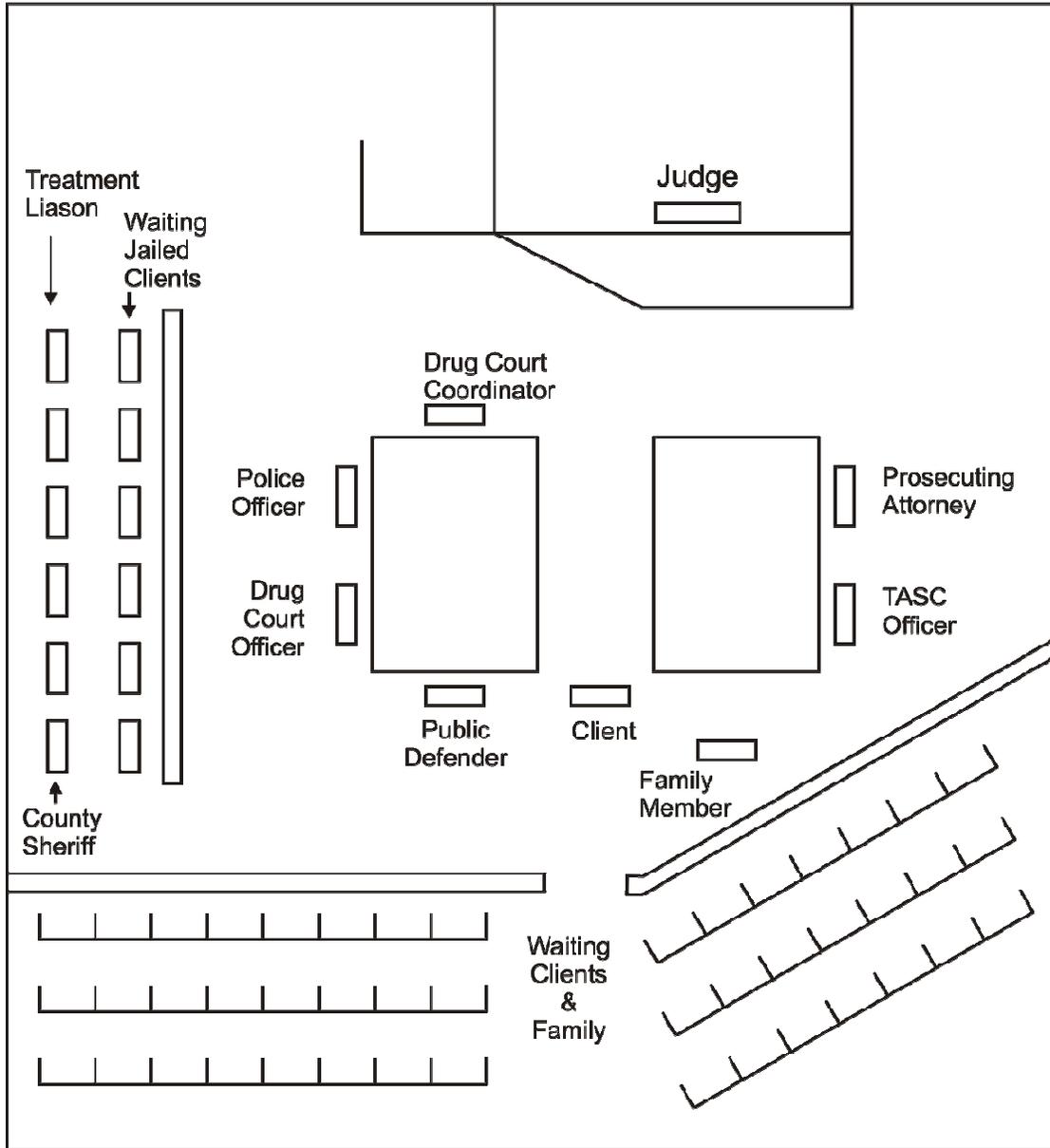
Polk County Adult Drug Court (Polk County Courthouse)



Polk County Juvenile Drug Court (Polk County Courthouse)



Fourth Judicial District Drug Court (Pottawattamie County Courthouse)



Scott County Drug Court (Scott County Courthouse)

